

# **SIMI VALLEY CALIFORNIA**

**ZONING REGULATIONS**  
**SUBDIVISION REGULATIONS**  
**FREEWAY SIGNING PROGRAM**  
**AND POLICY**

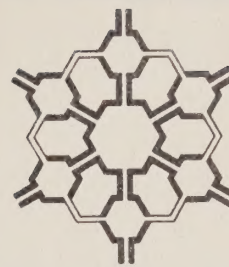
**SEDWAY/COOKE**





97 00550

**SEDWAY/COOKE**  
325 PACIFIC AVENUE  
SAN FRANCISCO, CA. 94111



**Sedway/Cooke** Urban and Environmental  
Planners and Designers  
400 Pacific Avenue  
San Francisco  
California 94133  
(415) 433-0966

**SIMI VALLEY**

**ZONING REGULATIONS  
SUBDIVISION REGULATIONS  
FREEWAY SIGNING PROGRAM AND POLICY**

**Submitted to**

**SIMI VALLEY DEPARTMENT OF ENVIRONMENTAL AFFAIRS**

**By**

**SEDWAY/COOKE**  
Urban and Environmental  
Planners and Designers

**October 1974**

The preparation of this report was financed in part through a comprehensive planning grant from the Department of Housing and Urban Development, under the provisions of Section 701 of the Housing Act of 1954, as amended, and through the auspices of the Council on Intergovernmental Relations, State of California.

Digitized by the Internet Archive  
in 2025 with funding from  
State of California and California State Library

<https://archive.org/details/C124917645>



# CITY OF SIMI VALLEY ZONING REGULATIONS- CONTENTS

## PART 1: GENERAL PROVISIONS OF THE PLANNING CODE

## PART 2: GENERAL PROVISIONS OF THE ZONING REGULATIONS

# SIMI VALLEY ZONING REGULATIONS

2200	Activity Types
2230	Residential Activity Types
2280	Community Types
2320	Commercial Activity Types
2400	Manufacturing Activity Types
2450	Agricultural and Extractive Activity Types
2550	Facility Types
2550	Residential Facility Types
2600	Nonresidential Facility Types

## PART 3: REGULATIONS APPLYING IN RESIDENTIAL ZONES

3000	General Intent
3050	Residential Density Schedule Provisions
3100	R-10 Single Density Residential Zone Regulations
3200	R-20 Very Low Density Residential Zone Regulations
3300	R-30 Low Density Residential Zone Regulations
3400	R-40 Medium Density Residential Zone Regulations
3500	R-50 Intermediate Density Residential Zone Regulations
3600	R-60 High Density Residential Zone Regulations
3700	R-70 Very High Density Residential Zone Regulations
3800	R-80 Mobile Home Park Residential Zone Regulations

## PART 4: REGULATIONS APPLYING IN COMMERCIAL ZONES

4000	General Intent
4100	C-10 Convenience Commercial Zone Regulations
4200	C-20 Office Commercial Zone Regulations
4300	C-30 Freeway Commercial Zone Regulations
4400	C-40 Border Commercial Zone Regulations
4500	C-50 Regional Commercial Zone Regulations
4600	C-60 Service Commercial Zone Regulations



# **CITY OF SIMI VALLEY ZONING REGULATIONS: CONTENTS**

## **PART 1: GENERAL PROVISIONS OF THE PLANNING CODE**

## **PART 2: GENERAL PROVISIONS OF THE ZONING REGULATIONS**

2000	Title and Scope
2100	Definitions
2200	Use Classifications
2200	General Classification Rules
2250	Activity Types
2250	Residential Activity Types
2300	Civic Activity Types
2350	Commercial Activity Types
2400	Manufacturing Activity Types
2450	Agricultural and Extractive Activity Types
2550	Facility Types
2550	Residential Facility Types
2600	Nonresidential Facility Types

## **PART 3: REGULATIONS APPLYING IN RESIDENTIAL ZONES**

3000	General Intent
3050	Residential Density Increase Provisions
3100	R-10 Rural Density Residential Zone Regulations
3200	R-20 Very Low Density Residential Zone Regulations
3300	R-30 Low Density Residential Zone Regulations
3400	R-40 Medium Density Residential Zone Regulations
3500	R-50 Intermediate Density Residential Zone Regulations
3600	R-60 High Density Residential Zone Regulations
3700	R-70 Very High Density Residential Zone Regulations
3800	R-80 Mobile Home Park Residential Zone Regulations

## **PART 4: REGULATIONS APPLYING IN COMMERCIAL ZONES**

4000	General Intent
4100	C-10 Convenience Commercial Zone Regulations
4200	C-20 Office Commercial Zone Regulations
4300	C-30 Freeway Commercial Zone Regulations
4400	C-40 District Commercial Zone Regulations
4500	C-50 Regional Commercial Zone Regulations
4600	C-60 Service Commercial Zone Regulations



## **PART 5: REGULATIONS APPLYING IN INDUSTRIAL ZONES**

- 5000 General Intent
- 5100 I-10 Special Industrial Zone Regulations
- 5200 I-20 Industrial Park Zone Regulations

## **PART 6: REGULATIONS APPLYING IN SPECIAL ZONES**

- 6100 S-1 Agricultural Zone Regulations
- 6150 S-2 Civic Center Zone Regulations
- 6200 S-3 Public Use Zone Regulations
- 6250 S-4 Horsekeeping Combining Zone Regulations
- 6300 S-5 Planned Unit Development Combining Zone Regulations
- 6350 S-6 Freeway Land Use Combining Zone Regulations

## **PART 7: REGULATIONS APPLYING IN ALL OR SEVERAL ZONES**

- 7000 General Regulations
  - 7000 General Provisions
  - 7025 Sign Regulations
  - 7075 Lot and Area Regulations
  - 7100 Height Regulations
  - 7150 Yard Regulations
  - 7200 Miscellaneous General Regulations
- 7300 Landscaping, Buffering, and Screening Regulations
- 7350 Usable Open Space Regulations
- 7400 Environmental Protection Regulations
  - 7405 Hillside Regulations
  - 7415 Seismic Fault and Fracture Area Regulations
  - 7420 Noise Regulations
  - 7430 Performance Standards
  - 7440 Tree Preservation Regulations
- 7450 Design Review Regulations
- 7500 Home Occupation Regulations
- 7550 Development Review Regulations
- 7560 Planned Unit Development Regulations
- 7600 Non-Conforming Use Regulations
- 7650 Off-Street Parking and Loading Regulations
- 7700 Automotive Servicing Regulations

## **PART 8: ADMINISTRATION AND PROCEDURES**

- 8100 Administrative Appeal Procedure
- 8150 Conditional Use Permit Procedure

8200	Design Review Procedure
8250	Planned Unit Development Procedure
8300	Rezoning and Law Change Procedure
8350	General Plan Amendment Procedure
8400	Variance Procedure
8450	Fee Schedule
8500	Enforcement Regulations

1	Uniform Zoning Ordinance
2	Design Review Procedure
3	Planned Unit Development Procedure
4	Rezoning and Law Change Procedure
5	General Plan Amendment Procedure
6	Variance Procedure
7	Fee Schedule
8	Enforcement Regulations
9	Design Review Procedure
10	Planned Unit Development Procedure
11	Rezoning and Law Change Procedure
12	General Plan Amendment Procedure
13	Variance Procedure
14	Fee Schedule
15	Enforcement Regulations



## ILLUSTRATIONS

---

NUMBER	SUBJECT	FOLLOWS SECTION
1	Definition of Lot Types	2111(d)
2	Lot Lines and Yards	2116
3	Lot Width and Depth	2121
4	Uniform Plane Setback	3730
5	Stepped Setback	3730
6	Lots Divided by Zone Boundaries	7007(b)
7	Required Yards in Commercial and Industrial Zones	7158
8	Street Side Yards and Accessory Buildings in Residential Zones	7158
9	Side Yard Opposite Living Room Window	7158
10	Requirements for Courts with Windows	7158
11	General Buffering Requirements in Residential, S-2, and S-3 Zones	7305(b)
12	General Buffering Requirements in Commercial and Industrial Zones	7305(b)
13	Usable Open Space	7356(f)
14	Design of Required Parking Areas	7685



# **PART 1: GENERAL PROVISIONS OF THE PLANNING CODE**

SECTION 1 TITLE OF PLANNING CODE. This Ordinance shall be known as the Simi Valley Planning Code, may be cited as such, and will be referred to herein by such title or as "this Code. "

SECTION 12 EFFECT ON PAST AND PENDING ACTIONS AND OBLIGATIONS. Neither the adoption of this Code nor the repeal hereby of any ordinance shall in any manner affect the prosecution for violation of such ordinances committed prior to the effective date of this Code, or be construed as a waiver of any license or penalty due under any such ordinance, or in any manner affect the validity of any interlocutory or final action heretofore taken by the City Planning Commission or the validity of any such action to be taken upon matters pending before the Commission on the effective date of this Code.

SECTION 13 SEPARABILITY. If any portion of this Code is, for any reason, declared by a court of competent jurisdiction to be invalid or ineffective in whole or in part, such decision shall not affect the validity of the remaining portions thereof. The City Council hereby declares that it would have enacted this Code and each portion thereof irrespective of the fact that any one or more portions be declared invalid or ineffective.

SECTION 14 ORDINANCES REPEALED. Chapter 1 of Division 8 of the Simi Valley Municipal Code is hereby repealed.

SECTION 15 EFFECTIVE DATE. This Code shall take effect immediately.

## **PART 2: ZONING REGULATIONS- GENERAL PROVISIONS**

### **TITLE AND SCOPE**

**SECTION 2000 TITLE, PURPOSE, AND APPLICABILITY.** The provisions of Section 2000 through Section 2099, inclusive, shall be known as the Title and Scope of the Zoning Regulations. The purpose of these provisions is to specify the title, purposes, and applicability of the Zoning Regulations and to require conformity to said regulations. These provisions shall apply to the entire Zoning Regulations.

**SECTION 2001 TITLE OF ZONING REGULATIONS.** The provisions of Section 2000 through Section 8999, inclusive, shall be known as the Zoning Regulations.

**SECTION 2002 PURPOSES OF ZONING REGULATIONS.** The general purposes of the Zoning Regulations are to protect and promote the public health, safety, comfort, convenience, prosperity, and general welfare and to achieve the following objectives:

- (a) To promote the achievement of the proposals of the Simi Valley General Plan.
- (b) To protect residential, commercial, industrial, and civic areas from the intrusion of incompatible uses, and to provide opportunities for establishments to concentrate for efficient operation in mutually beneficial relationship to each other and to shared services.
- (c) To provide for desirable, appropriately located living areas in a variety of dwelling types and at a wide range of population densities, with adequate provision for sunlight, fresh air, and usable open space.
- (d) To ensure preservation of adequate space for commercial, industrial, and other activities necessary for a healthy economy.
- (e) To promote safe, fast, and efficient movement of people and goods, and the provision of adequate off-street parking and loading.
- (f) To achieve excellence and originality of design in all future developments and to preserve the natural beauty of Simi Valley's setting.
- (g) To promote the growth and productivity of the Simi Valley economy.
- (h) To stabilize expectations regarding future development of Simi Valley, thereby providing a basis for wise decisions with respect to such development.

(i) To secure equity among individuals in the utilization of their property.

(j) To encourage a maximum of planting and other amenities, and a minimum of excessively intrusive signs, overhead utility lines, and other environmental clutter.

(k) To prevent the unnecessary destruction or impairment of structures, other physical features, sites, and areas of special character or special historical, cultural, educational, architectural, esthetic, or environmental interest or value and to achieve the following purposes:

1. The protection, enhancement, perpetuation, and use of structures, other physical features, sites, and areas that are reminders of past eras, events, and persons important in local, state, or national history, or which provide significant examples of architectural styles of the past or are landmarks in the history of architecture, or which are unique and irreplaceable assets to the city and its neighborhoods, or which provide for this and future generations examples of the physical surroundings in which past generations lived.
2. The development and maintenance of appropriate settings and environment for such structures, and other physical features, on such sites, and in such areas.
3. The enhancement of property values, the stabilization of neighborhoods and areas of the City, and the increase of economic and financial benefits to the City.

## SECTION 2003 APPLICABILITY OF ZONING REGULATIONS.

(a) To Which Property Applicable. The Zoning Regulations shall apply, to the extent permissible under other laws, to all property within the City of Simi Valley, except currently dedicated streets, freeways, alleys, and paths, whether such property is in private or public ownership.

(b) Duplicated Regulation. Whenever any provision of the Zoning Regulations and any other provision of law, whether set forth in this Code or in any other law, ordinance, or resolution of any kind, impose overlapping or contradictory regulations, or certain restrictions covering any of the same subject matter, that provision which is more restrictive or imposes higher standards shall control, except as otherwise expressly provided in the Zoning Regulations.

(c) Private Agreements. The Zoning Regulations are not intended to abrogate, annul, or impair any easement, covenant, or other agreement between parties, except that where the Zoning Regulations impose a greater restriction or higher standard than that required by such agreement the Zoning Regulations shall control.



SECTION 2004 EFFECT OF DEVELOPMENT CONTROL MAPS. Adopted development control maps and all notations, references, and regulations shown therewith shall be considered part of the Zoning Regulations. Development control maps may include, but are not limited to, regulations intended to carry out any plan respecting location or type of activities; height, bulk, siting, or design of structures; location or design of open areas and landscaping; and other comparable regulations. In case of conflict with any other provisions of the Zoning Regulations the development control map shall take precedence.

SECTION 2005 CONFORMITY WITH ZONING REGULATIONS REQUIRED. Except as otherwise allowed by Section 7005 (Effect of Prior Permits) and by the Nonconforming Use Regulations at Section 7600 or as authorized pursuant to the Variance Procedure at Section 8400, no activities or facilities shall be established, substituted, expanded, constructed, altered, moved, painted, maintained, or otherwise changed and no lot lines shall be created or changed, except in conformity to the Zoning Regulations.

SECTION 2006 MINIMUM REQUIREMENTS. In their interpretation and application, the provisions of the Zoning Regulations shall be considered the minimum requirements necessary to accomplish the purpose set forth in Section 2002.

SECTION 2007 NAMES OF ZONES. Each Residential, Commercial, Industrial, and Special Zone shall be formally known by the full title of the zone and by its letter-and-numeral designation. To aid in the transition from the current ordinance to these Zoning Regulations, combinations of letters representing names of individual zones have been included in parentheses in the title of each zone regulation. Said letter combinations shall not be interpreted as the formal name of any zone and shall cease to be used in connection with these Zoning Regulations one year following the date of adoption of these Regulations.

## DEFINITIONS

SECTION 2100 TITLE, PURPOSE AND APPLICABILITY. The provisions of Section 2100 through Section 2199, inclusive, shall be known as the Definitions. The purpose of these provisions is to promote consistency and precision in the interpretation of the Zoning Regulations. The meaning and construction of words and phrases as hereinafter set forth shall apply throughout the Zoning Regulations, except where the context of such words or phrases clearly indicates a different meaning or construction.

SECTION 2101 GENERAL RULES FOR CONSTRUCTION OF LANGUAGE. The following general rules of construction shall apply to the textual provisions of the Zoning Regulations:

- (a) The particular shall control the general.
- (b) In case of any difference of meaning or implication between the text of any provision and any caption or illustration, the text shall control.
- (c) The word "shall" is always mandatory and not discretionary. The word "may" is discretionary.
- (d) The word "permitted" means permitted without the requirement for a conditional use permit but subject to all applicable regulations.
- (e) The words "conditionally permitted" mean permitted subject to the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150 and subject to all other applicable regulations.
- (f) Words used in the present tense include the future, and words used in the singular include the plural, and the plural the singular, unless the context clearly indicates the contrary.
- (g) The words "activities" and "facilities" include any part thereof.
- (h) Unless the context clearly indicates to the contrary, the following conjunctions shall be interpreted as follows:
  - 1. "And" indicates that all connected items or provisions shall apply.
  - 2. "Or" indicates that the connected items or provisions may apply singly or in any combination.
  - 3. "Either . . . or" indicates that the connected items or provisions shall apply singly but not in combination.

(i) All public officials, bodies, and agencies to which reference is made are those of the City of Simi Valley unless otherwise indicated.

(j) The word "City" means the City of Simi Valley.

(k) The word "days" means regular work days, and does not include weekends and legal holidays.

SECTION 2102 USE CLASSIFICATIONS. Activity types and facility types, the names of which always start with capital letters, are described in the Use Classifications at Section 2200.

## SECTION 2110

(a) Accessory Activity. An activity which is incidental to, and customarily associated with, a specified principal activity, and which meets the applicable conditions set forth in Section 2211 (Accessory Activities).

(b) Accessory Facility. A facility which is incidental to, and customarily associated with, a specified principal facility, and which meets the applicable conditions set forth in Section 2221 (Accessory Facilities).

(c) Activity. The performance of a function or operation.

(d) Activity Type. A type of activity which is specially described as such by the Use Classifications at Section 2200 on the basis of common functional characteristics and similar effects on other uses, and which is designated throughout the Zoning Regulations by a special name, each word of which starts with a capital letter.

## SECTION 2111

(a) Alley. A dedicated public way intended primarily to provide secondary vehicular access to abutting properties.

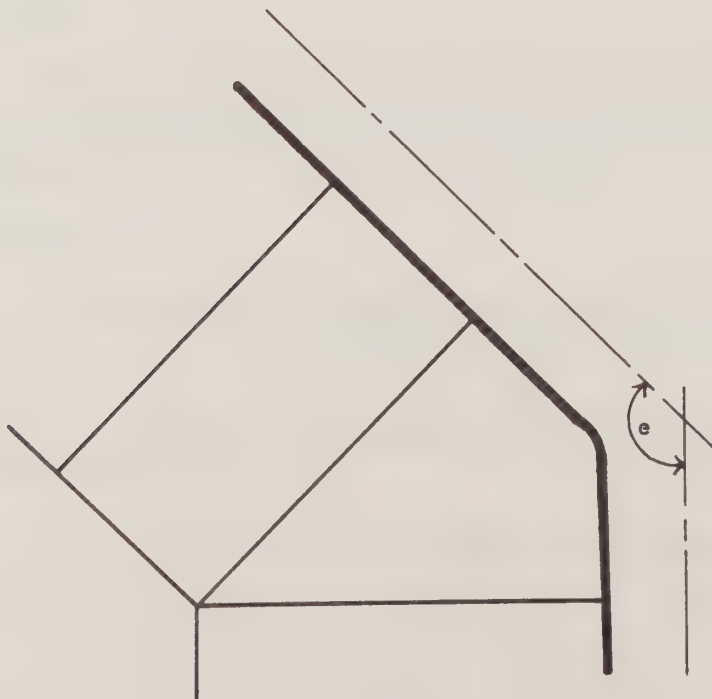
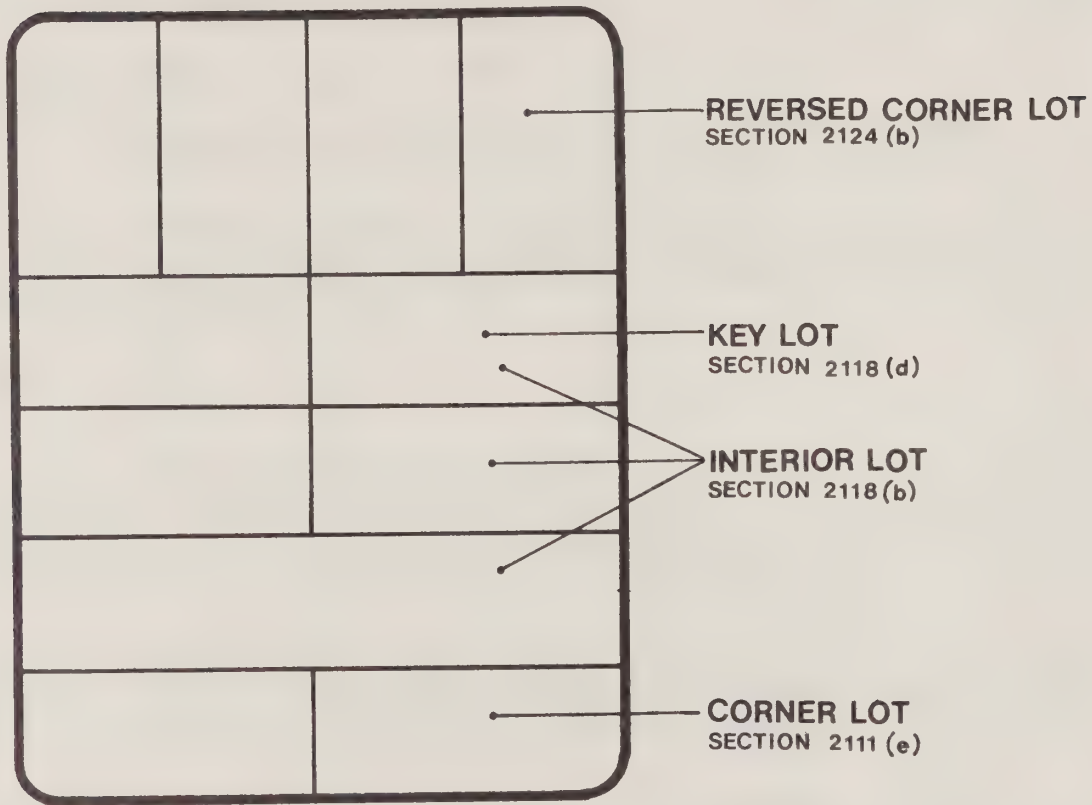
(b) Alteration. Any enlargement; addition; relocation; repair; remodeling; change in number of living units; development of or change in an open area; or other change in a facility ordinary maintenance for which no building permit is required, and demolition or removal.

(c) Berth. An area, exclusive of docks, designed to accommodate a motor vehicle during load or unloading of goods.

(d) Commercial Zone. Any zone the name of which begins with the letter "C."



## I-1: DEFINITIONS OF LOT TYPES



IF ANGLE  $e$  IS GREATER THAN  $135^{\circ}$ ,  
THIS IS AN INTERIOR LOT, IF LESS  
THAN  $135^{\circ}$ ; THIS IS A CORNER LOT.  
SECTION 2111 (e)



(e) Corner Lot. (See illustration I-1.) A lot bounded on two or more adjacent sides by streets, by private ways, or by portions of such streets or ways, having an angle of intersection of 135 degrees or less.

## SECTION 2112

(a) Building. A structure having a roof supported by columns or walls.

(b) Collective Household. A group of at least two, but not more than five, persons who are unrelated by blood, marriage, or adoption, living together as an independent housekeeping unit.

## SECTION 2113

(a) Court. An area between two walls on the same lot, measured for a specified distance, in a horizontal plane, perpendicularly from either of such walls; located on the same lot as said walls; and open and unobstructed except for the facilities allowed therein by Section 7160 (Exceptions to Required Openess of Minimum Yards and Courts).

(b) Decibel. A unit of measurement of sound pressure level, based on a reference pressure of 0.0002 dynes per square centimeter with a greater number of decibels corresponding on a logarithmic scale with an increase in sound pressure level.

(c) Development Control Map. A map or set of maps, with supporting text, regulating the precise location, height, bulk, design, or nature of activities or facilities.

(d) Dwelling Unit. A room or suite of rooms including one kitchen, and designed or occupied as separate living quarters for one of the persons or groups specified in Section 7016 (Occupancy of a Dwelling Unit).

## SECTION 2114

(a) Director. The Director of the Simi Valley Department of Environmental Affairs.

(b) Earthen Berm. A mound or embankment of earth, together with necessary retaining structures.

(c) Facility. A structure, open area, or other physical contrivance or object.



## SECTION 2115

(a) **Facility Type.** A type of facilities which is specially described as such by the Use Classifications at Section 2200 on the basis of common functional characteristics and similar effects on other uses, and which is designated throughout the Zoning Regulations by a special name, each word of which starts with a capital letter.

(b) **Family.** One person, or two or more persons related by blood, marriage, or adoption, or including not more than six persons placed in a foster home or family care home by an authorized agency, living together as an independent housekeeping unit, together with incidental domestic servants and temporary non-paying guests.

(c) **Finished Grade.** The finished surface of the ground after grading for development.

(d) **Floor Area.** The total of the gross horizontal areas of all floors, including usable basements and cellars, below the roof and within the outer surfaces of the main walls of principal or accessory buildings or the center lines of party walls separating such buildings or portions thereof, or within lines drawn parallel to and two feet within the roof line of any building or portion thereof without walls, but excluding the following:

1. Areas used for off-street parking spaces or loading berths and driveways and maneuvering aisles relating thereto.
2. Areas which qualify as usable open space under the Usable Open Space Regulations at Section 7350.
3. In the case of Nonresidential Facilities: arcades, porticoes, and similar open areas which are located at or near street level, which are accessible to the general public, and which are not designed or used as sales, display, storage, service, or production areas.

## SECTION 2116

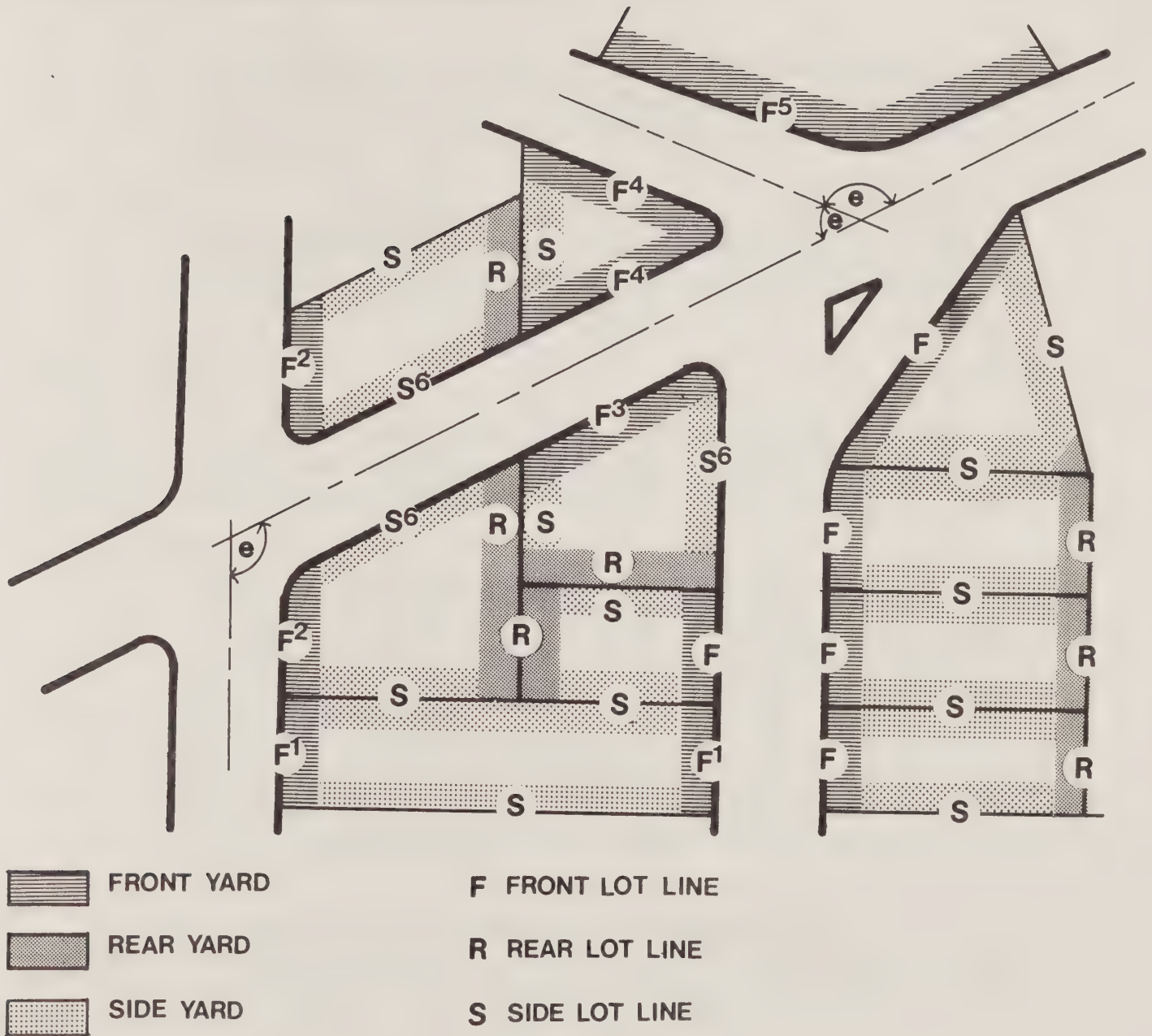
(a) **Frequency.** The number of oscillations per second, or pitch, of a sound, with a greater frequency corresponding to a higher pitch.

(b) **Frontage.** A front lot line; also the length thereof.

(c) **Front Lot Line.** (See illustration 1-2).

1. On an interior lot: any street line which actually abuts the lot.
2. On a corner lot: the shorter of any adjacent two abutting street lines; or portions thereof, which intersect at an angle of not less than 45 degrees but not more than 135 degrees; provided that if such street lines, or portions thereof, are equal in length the owner or developer of the lot

## I-2: LOT LINES AND YARDS



- 1 A through lot has two frontages.
- 2 The front lot line on a corner lot where angle **e** is between  $45^{\circ}$  and  $135^{\circ}$  is the shorter side.
- 3 The front lot line on a corner lot with equal sides is left to the choice of the owner.
- 4 A corner lot with angle **e** less than  $45^{\circ}$  has two frontages and thus two front lot lines.
- 5 When angle **e** exceeds  $135^{\circ}$  the lot is an interior lot and the entire street line is the front lot line.
- 6 Any lot line which is neither front nor rear is a side lot line.





may select either as the front lot line. If adjacent street lines, or portions thereof, of a corner lot intersect at an angle of less than 45 degrees, both such street lines or portions thereof shall be deemed front lot lines.

- (d) **Front Yard.** (See illustration I-2.) A yard measured into a lot from its front lot line or lines. Except where a front yard is prescribed only for certain kinds of facilities, a required front yard shall extend the full width of the lot between its side lot lines.

## SECTION 2117

- (a) **Habitable Room.** Any room in a living unit, except a bathroom, water closet, hall, storage space, utility room, foyer, communicating hall, pantry, laundry, or unfinished attic, basement, or cellar.

- (b) **Height.**

1. In the case of a building, sign, or other facility not covered by Section 2117(b)2: the vertical distance by which such building, sign, or other facility, or portion thereof, extends above the average elevation of the adjoining finished grade, subject to the provision of the Height Regulations at Section 7100.
2. In the case of a fence, screening or retaining wall, or dense landscaping: the vertical distance by which such facility, or portion thereof, extends above the highest elevation of the adjoining finished grade, subject to the provisions of the Height Regulations at Section 7100 and Measurement Regulations at Section 7101.

- (c) **Home Occupation.** An accessory activity performed within a living unit by an occupant of the living unit which is customarily incidental to the residential use of the living unit, and which is subject to the Home Occupation Regulations at Section 7500.

- (d) **Hotel.** A facility, other than a motel, designed for or occupied by Transient Habitation Commercial Activities, where access to individual units is predominantly by means of common interior hallways.

## SECTION 2118

- (a) **Industrial Zone.** Any zone the name of which begins with the letter "I".
- (b) **Interior Lot.** (See illustration I-1.) Any lot other than a corner lot.
- (c) **Interior Side Lot Line.** Any side lot line which is not a street line.

(d) Key Lot. (See illustration I-1.) The first interior lot to the rear of a reversed corner lot, with its front lot line being substantially a continuation of a side lot line of the reversed corner lot.

#### SECTION 2119

(a) Kitchen. Any room or portion thereof containing facilities designed or used for the preparation of food, including but not limited to stoves, ranges, or hotplates.

(b) Living Room. The principal room designed for general living purposes in a dwelling unit.

(c) Living Unit. A dwelling unit or a rooming unit.

(d) Lot. A parcel of contiguous land which is or may be developed or utilized, under one ownership, as a unit site for a use or group of uses, subject to the Simi Valley Zoning Regulations, the Simi Valley Subdivision Ordinance, and the State of California Subdivision Map Act.

#### SECTION 2120

(a) Lot Area. The area of a lot measure horizontally between bounding lot lines.

(b) Lot Depth. (See illustration I-3.) The horizontal distance between the rear lot line, or the intersection of the side lot lines, and the midpoint of the front lot line, measured back from said midpoint in the mean direction of the side lot lines; also the line so described.

(c) Lot Line. Any boundary of a lot.

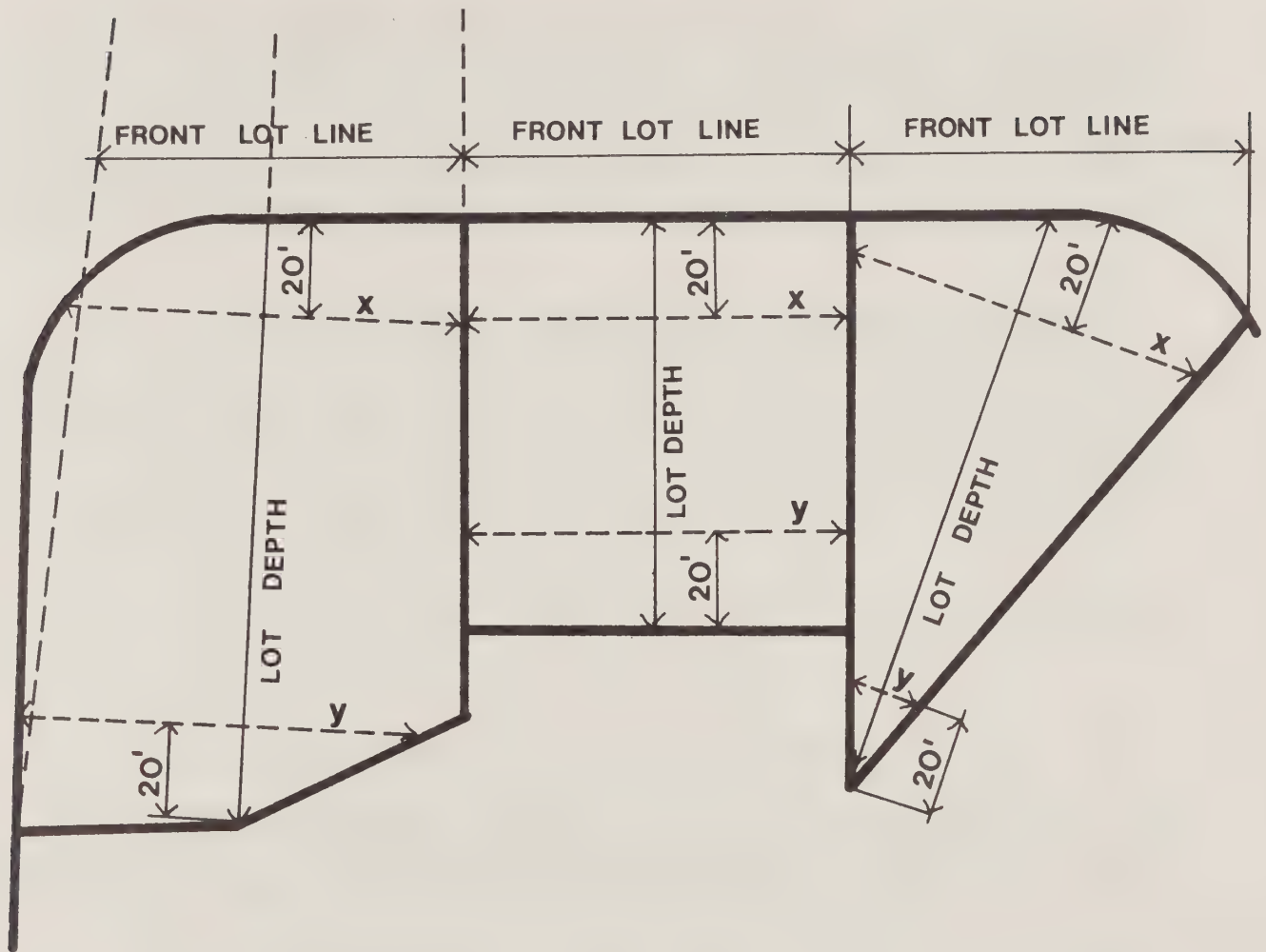
(d) Lot Width. (See illustration I-3.) The mean of the horizontal distance between the side lot lines measured at right angles to the lot depth at points distance thereon 20 feet from the front lot line and 20 feet from the rear lot line, or from the rearmost point of the lot depth in cases where there is no rear lot line.

#### SECTION 2121

(a) Motel. A facility designed for or occupied by Transient Habitation Commercial Activities, where access to individual units is predominantly by means of common exterior corridors or where off-street parking is in sufficiently close proximity to the units as to facilitate direct baggage handling by guests.

(b) Natural Grade. The surface of the ground prior to grading.

## I-3: LOT WIDTH AND LOT DEPTH



$$\text{LOT WIDTH} = \frac{x+y}{2} \quad (\text{all three cases})$$

**LOT DEPTH**— the distance from the midpoint of the front lot line (X) to the rear lot line (or rearmost part of the lot), measured back in the mean direction of the side lot lines. Section 2120 (b)

**LOT WIDTH**— the mean of the distance between side lot lines taken 20' from front and rear lot lines and also perpendicular to the lot depth. Section 2120 (d)





(c) **Nonconforming Activity.** An activity which, under the Zoning Regulations, is not itself a permitted activity where it is located or does not conform to the density, height, yard, court, landscaping or screening, or usable open space requirements; or other requirements applying to facilities. However, an activity of the character described above shall not be deemed a nonconforming activity to the extent that it has been or is hereafter authorized by a substituting conditional use permit, variance, or other special zoning approval.

(d) **Nonconforming Facility.** A facility which, under the Zoning Regulations, is not itself a permitted facility where it is located or does not conform to the density, height, yard, court, landscaping or screening, or usable open space requirements; limitations on signs; or other requirements applying to facilities. However, a facility of the character described above shall not be deemed a nonconforming facility to the extent that it has been or is hereafter authorized by a subsisting conditional use permit, variance, or other special zoning approval.

(e) **Nonconforming Use.** A nonconforming activity or a nonconforming facility.

## SECTION 2122

(a) **Path.** A dedicated public way intended for pedestrian movement.

(b) **Performance Standards.** Standards included in the Environmental Protection Regulations at Section 7400 with respect to the emission by activities of noise, vibration, smoke, and other dangerous or objectionable matter or phenomena.

(c) **Planned Unit Development.** A large, integrated development adhering to a comprehensive plan and location on a single tract of land, or on two or more tracts of land which may be separated only by a street or other right-of-way.

(d) **Principal Activity.** An activity which fulfills a primary function of an establishment, institution, household, or other entity.

## SECTION 2123

(a) **Principal Facility.** A main building or other facility which is designed for or occupied by a principal activity.

(b) **Rear Lot Line.** (See illustration I-2.) The lot line which is opposite and most distant from the front lot line, and which is parallel to the front lot line or, if extended, would intersect with it at an angle of less than 45 degrees.

(c) Rear Yard. (See illustration I-2.) A yard measured into a lot from its rear lot line, provided that in cases where there is no rear lot the rear yard shall be measured into the lot from the rearmost point of the lot depth, parallel to said lot depth. Except where a rear yard is prescribed only for certain kinds of facilities or along only a portion of a lot line, a required rear yard shall extend the full width of the lot between its side lot lines.

## SECTION 2124

(a) Residential Zone. Any zone the name of which begins with the letter "R".

(b) Reversed Corner Lot. (See illustration I-1.) A corner lot, a side lot line of which is substantially a continuation of the front lot line of the first lot to its rear.

(c) Ringelmann Number. A number on the Ringelmann Chart, as standardized by the United States Bureau of Mines, used to measure the light-obscuring capacity of smoke, with a higher Ringelmann number corresponding to darker smoke.

## SECTION 2125

(a) Rooming Unit. A room or suite of rooms, not including a kitchen, designed or occupied as separate living quarters, with or without common boarding provisions, but excluding such rooms where they accommodate a total of three or fewer paying guests within a One-Family Dwelling Residential Facility through the main portion of which access may be had to all such rooms; provided that in the case of student dormitories and similar group living arrangements each two beds shall be deemed a rooming unit.

(b) Side Lot Line. (See illustration I-2.) Any lot line which is not a front lot line or a rear lot line.

(c) Side Yard. (See illustration I-2.) A yard measured into a lot from one or more of its side lot lines. Except where a side yard is prescribed only for certain kinds of facilities or along only a portion of a side lot line, a required side yard shall extend between the required front yard and rear yard, or the front or rear lot lines in cases where no front yard or rear yard is required.

(d) Sign. As provided in Section 7025, any physical form of visual communication which is intended to be viewed from public areas, including all parts, portions, units and materials comprising same, together with any illumination, frame, background, structure, support and anchorage and including the interior display of window signs large enough to be read by those in vehicles passing at the permissible speed in the nearest travel lane of a public street or highway right-of-way.



## SECTION 2126

(a) **Special Zone.** Any zone the name of which begins with the letter "S".

(b) **Story.** A portion of a building between the surface of any floor and the surface of the floor next above it, or, if there is no floor above it, the space between such floor and the ceiling next above it, provided that the following shall not be deemed a story:

1. A basement or cellar if the finished floor level directly above is not more than six feet above the average adjoining elevation of finished grade.
2. An attic or similar space under a gable, hip, or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than two feet above the floor of such space.

(c) **Street.** A dedicated public way, other than an alley or path, having a right-of-way not less than 40 feet in width, which is intended to afford the principal means of vehicular access to abutting properties, provided that any such way which was of record prior to adoption of the Zoning Regulations shall be deemed a street regardless of width.

## SECTION 2127

(a) **Street Line.** A lot line dividing a lot from an abutting street, or private way described in Section 7076 (Exception to Street Frontage Requirement).

(b) **Street Side (of a Corner Lot).** The side of a corner lot along any side lot line thereof which is a street line.

(c) **Structure.** Any facility located on the ground or attached to something having location on the ground.

(d) **Substitution (of Activities).** The replacement of an existing activity by a new activity, or a change in the nature of an existing activity, but not including a change of ownership, tenancy, or management where the previous line of business or other function is substantially unchanged.

## SECTION 2128

(a) **Townhouses.** Attached or semi-detached Residential Facilities each containing a single dwelling unit located (or capable of being located) on a separate lot.

(b) Use. An activity or a facility.

(c) Yard. An area between a facility and some lot line, measured for a specified distance, in a horizontal plane, perpendicularly between such facility and lot line; located on the same lot as said facility; and open and unobstructed except for the facilities allowed therein by Section 7160.

## **USE CLASSIFICATION**

### **General Classification Rules**

SECTION 2200 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 2200 through Section 2699, inclusive, shall be known as the Use Classifications.

The purpose of these provisions is to classify uses into a number of specially defined types on the basis of common functional characteristics and similar compatibility with other uses, thereby providing a basis for regulation of uses in accordance with criteria which are directly relevant to the public interest. These provisions shall apply throughout the Zoning Regulations.

### **SECTION 2201 DEFINITIONS**

(a) Activity. An activity is the performance of a function or operation.

(b) Facility. A facility is a structure, open area, or other physical contrivance or object.

SECTION 2210 LISTING OF ACTIVITY CLASSIFICATIONS. All activities are hereby classified into the following activity types, which are described in Section 2250 through Section 2549, inclusive. (See Section 2213 for classification of combinations of activities resembling different types. ) The names of these activity types start with capital letters throughout the Zoning Regulations.

(a) Residential Activities:

Permanent

Semi-Transient



**(b) Civic Activities:**

Essential Service  
Limited Child-Care  
Nursing Home  
Community Assembly  
Community Education  
Non-Assembly Cultural  
Administrative  
Health Care  
Utility and Vehicular  
Extensive Impact

**(c) Commercial Activities:**

Food Sales and Service  
Convenience Sales and Service  
Medical Service  
General Retail Sales  
General Personal Service  
Consultative and Financial Service  
Consumer Laundry and Repair Service  
Group Assembly  
Administrative  
Business and Communication Service

Retail Business Supply

Research Service

General Wholesale Sales

Transient Habitation

Construction Sales and Service

Automotive Sales, Rental, and Delivery

Automotive Servicing

Automotive Repair and Cleaning

Automotive Fee Parking

Transport and Warehousing

Animal Care

Undertaking Service

Scrap Operation

**(d) Manufacturing Activities:**

Custom

Light

General

Heavy

**(e) Agricultural and Extractive Activities:**

Plant Nursery

Crop Raising

Animal Raising

Mining and Quarrying

**SECTION 2211 ACCESSORY ACTIVITIES.** In addition to the principal activities expressly included therein, each activity type shall be deemed to include such activities as are customarily associated with, and are appropriate, incidental, and subordinate to, such a principal activity; are located on the same lot as such principal activity except as otherwise provided in subsections (a), (d), and (e); and meet the further conditions set forth hereinafter. Such accessory activities shall be controlled in the same manner as the principal activities within such type except as otherwise expressly provided in the Zoning Regulations. Such accessory activities include, but are not limited to, the activities indicated below. (See also Section 2213 for additional activities included within activity types in the case of combinations of different principal activities. )

(a) Off-street parking and loading serving a principal activity, whether located on the same lot thereas or on a different lot, but only if the facilities involved are reserved for the residents, employees, patrons, or other persons participating in the principal activity.

(b) Home occupations, subject to the applicable provisions of the Home Occupation Regulations at Section 7500.

(c) Operation of an administrative office of a firm engaged in a principal Manufacturing Activity on the same lot, but only if such office does not occupy more than 50 percent of the total floor area and open sales, display, storage, and service area occupied by such firm on the lot.

(d) Temporary construction, grading, and demolition activities which are neces-



sary and incidental to the development of facilities on the same lot, or on another of several lots being developed at the same time.

(e) Temporary conduct of a real estate sales office which is necessary and incidental to, and located on the site of, a subdivision being developed into five or more lots, subject to the Simi Valley Model Home Regulations at Section 7222.

### SECTION 2213 CLASSIFICATION OF COMBINATIONS OF PRINCIPAL ACTIVITIES.

The following rules shall apply where a single lot contains activities which resemble two or more different activity types and which are not classified by Section 2211 as accessory activities:

(a) **Separate Classification of Each Establishment.** The principal activities conducted on a single lot by each individual establishment, management, or institution shall be classified separately.

(b) **Separate Classification of Different Major Classes of Activities Conducted by Single Establishment.** If the principal activities conducted on a single lot by a single establishment, management, or institution resemble two or more different major classes of activities – to wit, Residential, Civic, Commercial, Manufacturing, or Agricultural and Extractive Activities – the principal activities resembling each major class shall be classified separately.

(c) **Classification of Different Activities Within Same Major Class, Conducted by Single Establishment.** If principal activities conducted on a single lot by a single establishment, management, or institution resemble two or more different activity types within the same major class of activities, all such principal activities shall be classi-

fied in the activity type within said class the description of which type most closely portrays the overall nature of such activities. However, when they have any of the characteristics of Utility and Vehicular, Health Care, or Extensive Impact Civic Activities; General Wholesale Sales or Scrap Operation Commercial Activities; General or Heavy Manufacturing Activities; or Crop Raising, Animal Raising or Mining and Quarrying Agricultural or Extractive Activities, all such principal activities within the same major class of activities as any of such types shall be classified within that one of such types the description of which most closely portrays said principal activities; except that all such Commercial Activities shall be classified within the Scrap Operation Commercial Activities type if they have any of its characteristics, and all such Manufacturing Activities shall be classified within the Heavy Manufacturing Activities type if they have any of its characteristics.

SECTION 2220 LISTING OF FACILITY CLASSIFICATIONS. All facilities are hereby classified into the following facility types, which are described in Section 2550 through Section 2649 inclusive. (See Section 2223 for classification of combinations of facilities resembling different types.) The names of these facility types start with capital letters throughout the Zoning Regulations.

(a) Residential Facilities:

One-Family Dwelling

Two-Family Dwelling

Multi-Family Dwelling

Rooming House

Mobile Home

(b) Nonresidential Facilities:

Enclosed

Open

Drive-In

SECTION 2221 ACCESSORY FACILITIES. In addition to the principal facilities expressly included therein, each Residential and Nonresidential facility type shall be deemed to include such facilities as are customarily associated with, and are appropriate, incidental, and subordinate to, such a principal facility; are located on the same lot as such principal facility except as otherwise provided in subsections (a), (f), and (g); and meet the further conditions set forth hereinafter. Such accessory facilities shall be controlled in the same manner as the principal facilities within such type except as otherwise expressly provided in the Zoning Regulations. They include but are not limited to the following facilities, but shall not be deemed to include signs, which are controlled separately:

(a) Off-street parking and loading facilities serving a principal Residential or Nonresidential Facility, whether located on the same lot thereas or on another lot, but only if they are reserved for the residents, employees, patrons, or other persons utilizing the principal facility.

(b) Open areas devoted to decorative paving or to swimming pools, located on the same lot as a principal facility.

(c) Storage and service areas and accessory buildings, other than those listed elsewhere in this section, if serving a principal facility on the same lot; provided,



however, that no such facilities which are unenclosed shall qualify as accessory to any principal Enclosed Nonresidential Facility except for open areas, not exceeding 200 square feet each, for the temporary storage of containerized trash.

(d) A single trailer incidental to and on the same lot as principal Residential Facilities, but only if said trailer is not intended for habitation while it is on the lot, and provided that the trailer satisfies the provisions of Section 7160 (g) in regard to screening.

(e) Living quarters in connection with a principal Nonresidential Facility on the same lot, but only if the residents are required to remain on the premises for protective, conference, or comparable technical purposes, including but not limited to caretakers and watchmen.

(f) Temporary construction yards and similar facilities which are necessary and incidental to development of facilities on the same lot, or on another of several lots being developed at the same time.

(g) A temporary real estate sales office which is necessary and incidental to, and located on the site of, a subdivision being developed into five or more lots, subject to the provisions of the Simi Valley Model Home Regulations at Section 7222.

(h) A stable, corral, or similar facility in any zone in which the keeping or training of horses, mules, or donkeys is permitted.

#### SECTION 2223 CLASSIFICATION OF COMBINATIONS OF PRINCIPAL FACILITIES.

If the facilities on a single lot resemble two or more different facility types, each

facility which is not classified by Section 2221 as an accessory facility shall be classified separately.

SECTION 2230 CLASSIFICATION OF UNLISTED USES. Any activity or facility which is not expressly classified within an activity type or facility type shall be included in that type the description of which most closely portrays it, subject to the applicable provisions of Sections 2213 and 2223 with respect to combinations of uses. In case of uncertainty as to the classification of any use, the Director of the Department of Environmental Affairs shall classify said use, based on his evaluation of the resemblance of the unclassified activity or facility to those uses expressly included within existing classifications, subject to the right of appeal from such determination pursuant to the Administrative Appeal Procedure at Section 8100.

## **ACTIVITY TYPES**

### **Residential Activity Types**

SECTION 2250 GENERAL DESCRIPTION OF RESIDENTIAL ACTIVITIES. Residential Activities include the occupancy of living accommodations on a wholly or primarily nontransient basis; but exclude institutional living arrangements involving the provision of a special kind of care or forced residence, such as in nursing homes, orphanages, asylums, and prisons. They also include certain activities accessory to the above, as specified in Section 2211 (Accessory Activities).

SECTION 2260 PERMANENT RESIDENTIAL ACTIVITIES. Permanent Residential Activities include the occupancy of living accommodations on a weekly or longer basis, with none of the living units under the same ownership or management on the same lot being occupied on a shorter basis; but exclude institutional living arrangements involving the provision of a special kind of care or forced residence, such as in nursing homes, orphanages, asylums, and prisons. They also include certain activities accessory to the above, as specified in Section 2211 (Accessory Activities).

SECTION 2261 SEMI-TRANSIENT RESIDENTIAL ACTIVITIES. Semi-Transient Residential Activities include the occupancy of living accommodations partly on a weekly or longer basis and partly for a shorter time period, but with less than 30 percent of the living units under the same ownership or management on the same lot being occupied on a less-than-weekly basis; but exclude institutional living arrangements involving the provision of a special kind of care or forced residence, such as in nursing homes, orphanages, asylums, and prisons. They also include certain activities accessory to the above, as specified in Section 2211 (Accessory Activities).



## **Civic Activity Types**

**SECTION 2300 GENERAL DESCRIPTION OF CIVIC ACTIVITIES.** Civic Activities include the performance of utility, educational, recreational, cultural, medical, protective, governmental, and other activities which are strongly vested with public or social importance. They also include certain activities accessory to the above, as specified in Section 2211 (Accessory Activities).

**SECTION 2310 ESSENTIAL SERVICE CIVIC ACTIVITIES.** Essential Service Civic Activities include the maintenance and operation of the following installations. They also include certain activities accessory thereto, as specified in Section 2211.

(a) Electric, gas, and telephone distribution lines and poles, and water, storm drainage, and sewer lines, with incidental appurtenances thereto, but excluding electric transmission lines.

(b) Parks, botanical gardens, and open space areas of a passive character, but excluding playgrounds, playing fields, bandstands, auditoriums, and similar areas.

(c) Private streets.

(d) Public polling places.

**SECTION 2311 LIMITED CHILD-CARE CIVIC ACTIVITIES.** Limited Child-Care Civic Activities include the provision of day-care or foster home service for six or fewer children. They also include certain activities accessory thereto, as specified in Section 2211.

SECTION 2312 NURSING HOME CIVIC ACTIVITIES. Nursing Home Civic Activities include the activities typically performed by the following institutions. They also include certain activities accessory thereto, as specified in Section 2211.

- (a) Rest homes and homes for the aged with six or fewer patients.
- (b) Nursing homes and convalescent hospitals with six or fewer patients, but excluding institutions for mental, drug addict, or alcohol addict cases.

SECTION 2314 COMMUNITY ASSEMBLY CIVIC ACTIVITIES. Community Assembly Civic Activities include the activities typically performed by, or at, the following institutions or installations. They also include certain activities accessory thereto, as specified in Section 2211.

- (a) Churches, temples, and synagogues.
- (b) Food service and other concessions located within public parks.
- (c) Public, parochial, and private non-profit clubs, lodges, meeting halls, and recreation centers.
- (d) Public and parochial playgrounds and playing fields, and open space recreational areas of an active character.
- (e) Temporary non-profit festivals including but not limited to carnivals and bazaars.

SECTION 2316 COMMUNITY EDUCATION CIVIC ACTIVITIES. Community Education Civic Activities include the activities typically performed by the following institutions. They also include certain activities accessory thereto, as specified in Section 2211.

(a) Orphanages.

(b) Foster Homes and Family Care Homes for seven or more persons placed by an authorized agency.

(c) Public, parochial, and private day-care centers for seven or more children.

(d) Public, parochial, and private nursery schools and kindergartens.

(e) Public, parochial, and private elementary, junior high, and high schools.

SECTION 2317 NON-ASSEMBLY CULTURAL CIVIC ACTIVITIES. Non-Assembly Cultural Civic Activities include the activities typically performed by the following institutions. They also include certain activities accessory thereto, as specified in Section 2211.

(a) Public, parochial, and private non-private museums and art galleries.

(b) Public, parochial, and private non-profit libraries and observatories.

SECTION 2318 ADMINISTRATIVE CIVIC ACTIVITIES. Administrative Civic Activities include the activities typically performed by public, parochial, and public utility administrative offices. They also include certain activities accessory to the above, as specified in Section 2211.

SECTION 2320 HEALTH CARE CIVIC ACTIVITIES. Health Care Civic Activities include the activities typically performed by the following institutions. They also include certain activities accessory thereto, as specified in Section 2211.

(a) Health Clinics.

(b) Hospitals.



(c) Nursing homes, convalescent hospitals, rest homes, and homes for the aged with seven or more patients, or with mental, drug addict, or alcohol addict cases.

(d) Centers for observation or rehabilitation, with fulltime supervision or care.

SECTION 2321 UTILITY AND VEHICULAR CIVIC ACTIVITIES. Utility and Vehicular Civic Activities include the maintenance and operation of the following installations. They also include certain activities accessory thereto, as specified in Section 2211.

(a) Communications equipment installations and exchanges.

(b) Electrical substations.

(c) Emergency hospitals operated by a public agency.

(d) Gas substations.

(e) Neighborhood newscarrier distribution centers.

(f) Police stations and fire stations.

(g) Post offices, but excluding major mail-processing centers.

(h) Publicly operated off-street parking lots and garages available to the general public either without charge or on a fee basis.

SECTION 2322 EXTENSIVE IMPACT CIVIC ACTIVITIES. Extensive Impact Civic Activities include the activities typically performed by, or the maintenance and operation of, the following institutions and installations. They also include certain activities accessory thereto, as specified in Section 2211.

(a) Airports, heliports, and helistops.

(b) Cemeteries, mausoleums, and columbariums.

- (c) Colleges, junior colleges, and universities, but excluding business schools operated as profit-making enterprises.
- (d) Detention and correction institutions.
- (e) Electric transmission lines.
- (f) Garbage dumps.
- (g) Golf courses.
- (h) Major mail-processing centers.
- (i) Public and public utility corporation or truck yards.
- (j) Radio and television transmission stations, including but not limited to booster or relay stations.
- (k) Railroad and bus terminals.
- (l) Railroad rights-of-way and yards and bus storage areas.
- (m) Reservoirs and water tanks.
- (n) Sewage disposal tanks.
- (o) Stadiums, sports arenas, auditoriums, and bandstands.
- (p) Truck terminals operated by a public agency.
- (q) Zoological gardens.

## **Commercial Activity Types**

SECTION 2350 GENERAL DESCRIPTION OF COMMERCIAL ACTIVITIES. Commercial Activities include the distribution and sale or rental of goods; the provision of services other than those classified as Civic Activities; and the administrative and research operations of private, profit-oriented firms, other than public utility firms. They also include certain activities accessory to the above, as specified in Section 2211 (Accessory Activities).

**SECTION 2360 FOOD SALES AND SERVICE COMMERCIAL ACTIVITIES.** Food Sales and Service Commercial Activities include the retail sale, from the premises, of food or beverages for home consumption, as well as the retail sale of prepared food or beverages for on-premises consumption. Such activities are typical of groceries, markets, restaurants, bars, and retail bakeries. They also include certain activities accessory to the above, as specified in Section 2211.

**SECTION 2361 CONVENIENCE SALES AND SERVICE COMMERCIAL ACTIVITIES.** Convenience Sales and Service Commercial Activities include the retail sale, from the premises, of drugs and other frequently needed small personal convenience items such as toiletries, tobacco, and magazines, as well as the provision of personal convenience services which are typically needed frequently or recurrently, such as barber and beauty care; and include shoe shining and operation of self-service laundromats and laundry or dry cleaning pick-up stations but exclude other apparel cleaning and repair services. They also include certain activities accessory to the above, as specified in Section 2211.

**SECTION 2362 MEDICAL SERVICE COMMERCIAL ACTIVITIES.** Medical Service Commercial Activities include the provision of therapeutic, preventive, or corrective personal treatment services by physicians, dentists, and other practitioners, as well as the provision of medical testing and analysis services. They also include certain activities accessory to the above, as specified in Section 2211.

**SECTION 2363 GENERAL RETAIL SALES COMMERCIAL ACTIVITIES.** General Retail Sales Commercial Activities include the retail sale or rental from the premises,

primarily for personal or household use, of goods consisting primarily of items other than those described in Sections 2360 or 2361; but exclude sale or rental of motor vehicles, except for parts and accessories, and sale of materials used in construction of buildings or other structures, except for paint, fixtures, and hardware. Such activities are typical of apparel, department, home appliance, furniture, or variety store. They also include certain activities accessory to the above, as specified in Section 2211.

**SECTION 2366 GENERAL PERSONAL SERVICE COMMERCIAL ACTIVITIES.** General Personal Service Commercial Activities include the provision to individuals of informational, instructional, amusement, and similar services of a non-professional nature which are not typically needed frequently, other than the services classified as Civic Activities or described in Sections 2367, 2371, and 2379. Such activities are typical of driving schools, photography studios, and travel bureaus. They also include certain activities accessory to the above, as specified in Section 2211.

**SECTION 2367 CONSULTATIVE AND FINANCIAL SERVICE COMMERCIAL ACTIVITIES.** Consultative and Financial Service Commercial Activities include the provision of financial, insurance, and real estate brokerage services, as well as the provision of advice, designs, information, or consultation of a professional nature, other than the services classified as Civic Activities or described in Sections 2362, 2373, and 2375. Such activities are typical of architects offices, banks, insurance offices, lawyers offices and realtors offices. They also include certain activities accessory to the above, as specified in Section 2211.



**SECTION 2370 CONSUMER LAUNDRY AND REPAIR SERVICE COMMERCIAL ACTIVITIES.** Consumer Laundry and Repair Service Commercial Activities include the cleaning or repair of personal apparel and household appliances, furniture, and similar items, other than the services listed in Section 2361; but exclude repair of motor vehicles and of structures. They also include certain activities accessory to the above, as specified in Section 2211.

**SECTION 2371 GROUP ASSEMBLY COMMERCIAL ACTIVITIES.** Group Assembly Commercial Activities include the provision of cultural, entertainment, educational, and athletic services, other than those classified as Civic Activities, to assembled groups of spectators or participants. Such activities are typical of business schools, dance halls, night clubs, theatres, and skating rinks. They also include certain activities accessory to the above, as specified in Section 2211.

**SECTION 2372 ADMINISTRATIVE COMMERCIAL ACTIVITIES.** Administrative Commercial Activities include the executive, management, administrative, and clerical activities of private, profit-oriented firms, other than public utility firms. Such activities are typical of corporate headquarters, branch offices, and data storage centers. They also include certain activities accessory to the above, as specified in Section 2211.

**SECTION 2373 BUSINESS AND COMMUNICATION SERVICE COMMERCIAL ACTIVITIES.** Business and Communication Service Commercial Activities include the provision, primarily to firms rather than to individuals, of services of a clerical, goods brokerage, communication, or minor processing nature, including multicopy and blue-

printing services; but exclude printing of books, other than pamphlets and small reports for another firm, and the storage of goods, other than small samples, for sale. They also include certain activities accessory to the above, as specified in Section 2211.

**SECTION 2374 RETAIL BUSINESS SUPPLY COMMERCIAL ACTIVITIES.** Retail Business Supply Commercial Activities include the retail sale or rental from the premises, primarily to firms and other organizations using the goods rather than to individuals, of office equipment and supplies and similar goods, together with the provision of incidental maintenance services; but exclude sale or rental of motor vehicles, except for parts and accessories, and sale of materials used in construction of buildings or other structures, except for paint, fixtures, and hardware. Such activities are typical of barber equipment and supply firms, and hotel or office equipment and supply. They also include certain activities accessory to the above, as specified in Section 2211.

**SECTION 2375 RESEARCH SERVICE COMMERCIAL ACTIVITIES.** Research Service Commercial Activities include research of an industrial or scientific nature, other than medical testing and analysis and routine product testing, which is offered as a service or which is conducted by and for a private profit-oriented firm, other than a public utility firm. They also include certain activities accessory to the above, as specified in Section 2211.

**SECTION 2378 GENERAL WHOLESALE SALES COMMERCIAL ACTIVITIES.** General Wholesale Sales Commercial Activities include the storage and sale, from the premises, of goods to other firms for resale, as well as the storage of goods on the

premises and their transfer therefrom to retail outlets of the same firm; but exclude sale or storage of motor vehicles, except for parts and accessories, and sale or storage of materials used in construction of buildings or other structures, except for paint, fixtures, and hardware. Such activities are typical of wholesale apparel supply or warehouse for a supermarket chain. They also include certain activities accessory to the above, as specified in Section 2211.

**SECTION 2379 TRANSIENT HABITATION COMMERCIAL ACTIVITIES.** Transient Habitation Commercial Activities include the provision of lodging services to transient guests on a less-than-weekly basis, other than in the case of activities classified by Section 2261 as Residential Activities and typically including hotels and motels. They also include certain activities accessory to the above, as specified in Section 2211.

**SECTION 2380 CONSTRUCTION SALES AND SERVICE COMMERCIAL ACTIVITIES.** Construction Sales and Service Commercial Activities include construction and incidental storage activities performed by construction contractors on lots other than construction sites, as well as the retail or wholesale sale, from the premises, of materials used in the construction of buildings or other structures, other than paint, fixtures, and hardware, and typically including building or plumbing contractor and lumber supply. They also include certain activities accessory to the above, as specified in Section 2211.

**SECTION 2381 AUTOMOTIVE SALES, RENTAL, AND DELIVERY COMMERCIAL ACTIVITIES.** Automotive Sales, Rental, and Delivery Commercial Activities include

the retail or wholesale sale or rental, from the premises, of motor vehicles, with incidental maintenance, as well as the retail or wholesale sale or rental, from the premises, of any type of goods where orders are placed predominantly by telephone or mail order with delivery being provided by motor vehicle. Such activities are typical of car rental agencies, mass caterers, new or used auto dealers. They also include certain activities accessory to the above, as specified in Section 2211.

**SECTION 2382 AUTOMOTIVE SERVICING COMMERCIAL ACTIVITIES.** Automotive Servicing Commercial Activities include the sale, from the premises, of goods and the provision of services which are generally required in the operation and maintenance of automotive vehicles and the fulfilling of motorist needs, including sale of petroleum products together with sale and servicing of tires, batteries, automotive accessories, and replacement items, lubricating services, and performance of minor repairs. They also include certain activities accessory to the above, as specified in Section 2211.

**SECTION 2383 AUTOMOTIVE REPAIR AND CLEANING COMMERCIAL ACTIVITIES.** Automotive Repair and Cleaning Commercial Activities include the major repair or painting of motor vehicles, including body work and installation of major accessories, as well as the washing and polishing of motor vehicles. They also include certain activities accessory to the above, as specified in Section 2211.

**SECTION 2384 AUTOMOTIVE FEE PARKING COMMERCIAL ACTIVITIES.** Automotive Fee Parking Commercial Activities include the parking and storage of motor vehicles on a fee basis, other than the operation of parking facilities by a Civic Activity. They also include certain activities accessory to the above, as specified in



Section 2211.

#### SECTION 2387 TRANSPORT AND WAREHOUSING COMMERCIAL ACTIVITIES.

Transport and Warehousing Commercial Activities include the provision of warehousing and storage, freight handling, shipping, and trucking services. Such activities are typical of moving and storage services, public warehouses, trucking firms. They also include certain activities accessory to the above, as specified in Section 2211.

SECTION 2388 ANIMAL CARE COMMERCIAL ACTIVITIES. Animal Care Commercial Activities include the provision of animal care, treatment, and boarding services. Such activities are typical of animal care, treatment, and boarding services. They also include certain activities accessory to the above, as specified in Section 2211.

SECTION 2389 UNDERTAKING SERVICE COMMERCIAL ACTIVITIES. Undertaking Service Commercial Activities include the provision of undertaking and funeral services involving the care and preparation of the human dead prior to burial. They also include certain activities accessory to the above, as specified in Section 2211.

SECTION 2390 SCRAP OPERATION COMMERCIAL ACTIVITIES. Scrap Operation Commercial Activities include the storage and sale, from the premises, or dismantling or other processing of used or waste materials which are not intended for reuse in their original form, except when such activities are part of a manufacturing operation. They also include certain activities accessory to the above, as specified in Section 2211.

## **Manufacturing Activity Types**

### **SECTION 2400 GENERAL DESCRIPTION OF MANUFACTURING ACTIVITIES.**

Manufacturing Activities include the on-site production of goods by methods other than agricultural and extractive in nature. They also include certain activities accessory to the above, as specified in Section 2211 (Accessory Activities).

**SECTION 2410 CUSTOM MANUFACTURING ACTIVITIES.** Custom Manufacturing Activities include the following activities, characterized by direct sale to a consumer of the goods produced. They also include certain activities accessory thereto, as specified in Section 2211.

(a) Manufacturing, compounding, processing, assembling, packaging, treatment, or fabrication of the following products:

Cameras and photographic equipment, but excluding film

Custom clothing and hair products

Professional, scientific, measuring, and control instruments

Musical instruments, but excluding pianos and organs

Medical, dental, optical, and orthopedic instruments and appliances

Handicraft, art objects, and jewelry

(b) Printing, publishing, pattern-making and sign-making.

**SECTION 2411 LIGHT MANUFACTURING ACTIVITIES.** Light Manufacturing Activities include the following activities. They also include certain activities accessory thereto, as specified in Section 2211.

(a) Manufacturing, compounding, processing, assembling, packaging, treat-

ment, or fabrication of articles of merchandise, other than the products listed in Sections 2410, 2414, or 2415, from the following prepared materials:

Asbestos

Cellophane

Cork

Fabrics and fibers

Feathers

Fur

Hair

Leather

Paper

Plastics

Rubber

Straw

Textiles

Wood, but excluding operation of a planing mill

(b) Photographic developing.

(c) Manufacturing, compounding, processing, assembling, packaging, treatment, or fabrication of the following products:

Beverages, but excluding alcoholic beverages

Business Machines

Ceramics, other than handicraft

Clothing, and other textile products, other than custom clothing

Cosmetics

Electrical and electronic equipment and appliances, other than the products listed in Section 2410

Food, but excluding fish, meat, sauerkraut, vinegar, and yeast

Furniture and fixtures

Ice

Pens, pencils, and artists' materials

Pharmaceuticals

Pianos and organs

Small metal tools and products, other than those listed in Section 2410

Sporting and athletic goods

Tobacco

Toiletries

SECTION 2414 GENERAL MANUFACTURING ACTIVITIES. General Manufacturing Activities include the following activities. They also include certain activities accessory thereto, as specified in Section 2211.

(a) Manufacturing, compounding, processing, assembling, packaging, treatment, or fabrication of articles of merchandise, other than the products listed in Sections 2410, 2411, or 2415, from the following materials:

Chemicals

Clay



Glass

Graphite

Metal

Stone

(b) Cotton ginning.

(c) Sugar refining.

(d) Wood planing or sawing.

(e) Wool pulling or scouring.

(f) Manufacturing, compounding, processing, assembling, packaging, treatment,

or fabrication of the following products:

Aircraft

Alcoholic beverages

Asphalt

Barrels and casks

Boilers

Concrete

Charcoal, lampblack, and fuel briquettes

Disinfectants

Dyestuff

Emery cloth and sandpaper

Excelsior and packing materials

Film

Fish, meat, sauerkraut, vinegar, and yeast

Heavy machinery and machine tools

Insect poison

Matches

Monuments

Motor vehicles

Oil cloth and linoleum

Paint

Porcelain

Salt

Shoe polish

**SECTION 2415 HEAVY MANUFACTURING ACTIVITIES.** Heavy Manufacturing Activities include the following activities. They also include certain activities accessory thereto, as specified in Section 2211.

(a) Manufacturing, compounding, processing, assembling, packaging, treatment, or fabrication of articles of merchandise from the following raw materials:

Bones

Garbage, offal, and dead animals

(b) Fat rendering.

(c) Petroleum refining.

(d) Radioactive material handling.

- (e) Stocking or slaughtering of animals.
- (f) Storage and distribution of natural and liquid gas and other petroleum derivatives in bulk.
- (g) Tanning.
- (h) Manufacturing, compounding, processing, assembling, packaging, treatment, or fabrication of the following products:

Acid

Cement, lime, gypsum, and plaster of paris

Explosives

Fertilizer

Gas

Glue

## **Agricultural and Extractive Activity Types**

**SECTION 2450 GENERAL DESCRIPTION OF AGRICULTURAL AND EXTRACTIVE ACTIVITIES.** Agricultural and Extractive Activities include the on-site production of plant and animal products by agricultural methods, and of mineral products by extractive methods. They also include certain activities accessory to the above, as specified in Section 2211.

**SECTION 2460 PLANT NURSERY AGRICULTURAL ACTIVITIES.** Plant Nursery Agricultural Activities include the cultivation for sale of horticultural specialties such as flowers, shrubs, and trees, intended for ornamental or landscaping purposes. They also include certain activities accessory to the above, as specified in Section 2211.

**SECTION 2461 CROP RAISING AGRICULTURAL ACTIVITIES.** Crop Raising Agricultural Activities include the raising of tree, vine, field, forage, and other plant crops, intended to provide food or fibers. They also include certain activities accessory to the above, as specified in Section 2211.

**SECTION 2462 ANIMAL RAISING AGRICULTURAL ACTIVITIES.** Animal Raising Agricultural Activities include the keeping, grazing, or feeding of animals for animal products, animal increase, or value increase. They also include certain activities accessory to the above, as specified in Section 2211.

**SECTION 2463 MINING AND QUARRYING EXTRACTIVE ACTIVITIES.** Mining and Quarrying Extractive Activities include the extraction of metallic and non-metallic minerals, including oil and gravel pit operations. They also include certain activities accessory to the above, as specified in Section 2211.

## **FACILITY TYPES**

### **Residential Facility Types**

**SECTION 2550 GENERAL DESCRIPTION OF RESIDENTIAL FACILITIES.** Residential Facilities include living quarters which accommodate or are intended to accommodate Residential Activities. They also include certain facilities accessory to the above, as specified in Section 2221 (Accessory Facilities).

**SECTION 2560 ONE-FAMILY DWELLING RESIDENTIAL FACILITIES.** One-Family Dwelling Residential Facilities include permanently fixed buildings, or those portions thereof, which accommodate or are intended to accommodate Residential Activities and each of which contains one dwelling unit. They also include certain facilities accessory to the above, as specified in Section 2221.



**SECTION 2561 TWO-FAMILY DWELLING RESIDENTIAL FACILITIES.** Two-Family Dwelling Residential Facilities include permanently fixed buildings, or those portions thereof, which accommodate or are intended to accommodate Residential Activities and each of which contains two dwelling units. They also include certain facilities accessory to the above, as specified in Section 2221.

**SECTION 2562 MULTI-FAMILY DWELLING RESIDENTIAL FACILITIES.** Multi-Family Dwelling Residential Facilities include permanently fixed buildings, or those portions thereof, which accommodate or are intended to accommodate Residential Activities and each of which contains three or more dwelling units. Such facilities may constitute townhouses or apartments. They also include certain facilities accessory to the above, as specified in Section 2221.

**SECTION 2566 ROOMING HOUSE RESIDENTIAL FACILITIES.** Rooming House Residential Facilities include permanently fixed buildings, or those portions thereof, which accommodate or are intended to accommodate Residential Activities and each of which contains one or more rooming units. They also include certain facilities accessory to the above, as specified in Section 2221.

**SECTION 2567 MOBILE HOME RESIDENTIAL FACILITIES.** Mobile Home Residential Facilities include vehicular facilities which accommodate or are intended to accommodate Residential Activities and each of which contains either a dwelling unit or a rooming unit. They also include certain facilities accessory to the above, as specified in Section 2221.

## **Nonresidential Facility Types**

### **SECTION 2600 GENERAL DESCRIPTION OF NONRESIDENTIAL FACILITIES.**

Nonresidential Facilities include principal facilities, or portions thereof, which accommodate or are intended to accommodate Civic, Commercial, Manufacturing, or Agricultural or Extractive Activities. They also include certain facilities accessory to the above, as specified in Section 2221 (Accessory Facilities).

**SECTION 2610 ENCLOSED NONRESIDENTIAL FACILITIES.** Enclosed Nonresidential Facilities include principal buildings, other than those described in Section 2612, which accommodate or are intended to accommodate Civic, Commercial, Manufacturing, or Agricultural or Extractive Activities and which are separated from adjacent areas on all sides by walls pierced only by windows, vents, or customary entrances and exits. They also include certain facilities accessory to the above, as specified in Section 2221.

**SECTION 2611 OPEN NONRESIDENTIAL FACILITIES.** Open Nonresidential Facilities include principal facilities, other than those described in Section 2612, which accommodate or are intended to accommodate Civic, Commercial, Manufacturing, or Agricultural or Extractive Activities and which either are unroofed areas or structures, or are buildings which are not separated from adjacent areas on all sides by walls pierced only by windows, vents, or customary entrances and exits. They also include certain facilities accessory to the above, as specified in Section 2221.

**SECTION 2612 DRIVE-IN NONRESIDENTIAL FACILITIES.** Drive-In Nonresidential Facilities include principal buildings, open areas, and other facilities which accom-

modate or are intended to accommodate Civic, Commercial, Manufacturing, or Agricultural or Extractive Activities and which are so designed or operated as to enable persons to receive a service or purchase or consume goods while remaining within a motor vehicle. They also include certain facilities accessory to the above, as specified in Section 2221.

## **PART 3: REGULATIONS APPLYING IN INDIVIDUAL RESIDENTIAL ZONES**

### **SECTION 3000 GENERAL INTENT OF THE RESIDENTIAL ZONE REGULATIONS**

The provisions of Section 3000 through Section 3099, inclusive, shall be known as the Simi Valley Residential Zone Regulations. These regulations are intended to meet requirements for residential development within Simi Valley set forth in the policies and principles of the Simi Valley General Plan. It is intended that provisions of the individual Residential Zones will be applied to standard subdivisions and that all new residential development with a unit-per-gross-acre density above that allowed within individual zones will submit comprehensive and unitary site plans pursuant to the Residential Density Increase Provisions at Section 3050 and the Planned Unit Development Procedure at Section 8250.

### **RESIDENTIAL DENSITY INCREASE PROVISION**

**SECTION 3050 TITLE AND PURPOSE.** The provisions of Section 3050 through Section 3074 inclusive shall be known as the Residential Density Increase Provisions. These Provisions are intended to aid in achieving goals specified within the Simi Valley General Plan by allowing increases in residential density commensurate with increases in the quality and amenity of residential development.

### **SECTION 3055 GENERAL PROVISIONS.**

- (a) **Application.** Applicants submitting proposals for residential development within the R-30, R-40, R-50, R-60, R-70, and R-80 Zones may request an increase in density over that specified within the applicable individual residential Zone Regulation provided that such proposals are submitted as integrated developments adhering to a comprehensive plan and shall only be permitted upon the granting of a planned unit development permit pursuant to the Planned Unit Development Procedure at Section 8250. Such density increases shall be granted only on the condition that the requirements of the Residential Density Increase Provisions have been satisfactorily met.
- (b) **Quality Rating Requirement.** Increases in residential density beyond that specified by individual Zone Regulations shall be granted based on a Quality Rating. Determination of the Quality Rating necessary for density increases within individual residential zones shall be as specified in Section 3070, Permitted Density Increase. Developments may attain a Quality Rating of up to 100 through satisfaction of various elements indicated in Sections 3060 through 3065 inclusive.



- (c) **Quality Rating Assessment.** Recommendation of the Quality Rating to be granted developments shall be made by the Director to the Planning Commission at the time of the Development Plan review (Section 8274(b)).

## SECTION 3060 QUALITY RATING PROVISIONS FOR HOUSING MIX AND OCCUPANCY CHARACTERISTICS

- (a) **Intent.** A Quality Rating shall be awarded to developments which provide a mixture of housing types and styles and which assure a mixture of age groups, so as to increase the supply of various types of housing and to lend interest to the character and structure of neighborhoods.
- (b) **Maximum Score.** A maximum Quality Rating of 23 may be awarded for housing mix and occupancy characteristics.
- (c) **Evaluation.**
1. A maximum score of 17 shall be awarded for housing mix characteristics. A proposed development must evidence variety of housing type by including within the same development plan such features as, but not limited to: attached, semi-detached, and detached units; single family dwellings within predominantly multi-family zones; housing price mix; variation in construction techniques such as traditional and factory built housing; and variation in size of dwelling units. Any outstanding single feature, or a combination of features, which clearly satisfy housing policies of the Simi Valley General Plan shall receive up to 10 points. Any combination of features which provide an extraordinary example of satisfying housing policies of the Simi Valley General Plan shall receive up to 17 points.
  2. A maximum score of 6 shall be awarded for occupant age mix, when 15 percent of the total number of dwelling units are devoted to adults over age 55. The Quality Rating awarded shall be:

Percent of Total Units  
Reserved Exclusively for  
Adults Over Age 55

Quality Rating

5%

1

10%

3

15%

6

(d) General Conditions for Occupant Age Mix

1. Housing for adults over age 55 shall be limited to occupancy by single individuals over age 55, or to married couples in which at least one of the spouses is over 55.
2. Occupancy by an adult over age 55 shall be guaranteed for a period of not less than 50 years by appropriate conditions incorporated into any development approval granted by the City of Simi Valley.

SECTION 3061 QUALITY RATING PROVISION FOR RECREATION FACILITIES

- (a) Intent. A Quality Rating shall be awarded to developments which provide recreation space, appropriate in size and type to the occupancy characteristics of a development, and which locate such space outdoors, indoors, and/or in covered open space. Such facilities might include: tennis courts, swimming pools; tot lots; courts for volleyball, basketball, handball; trails for pedestrians, equestrians, and bicycles; and man-made lakes.
- (b) Maximum Score: A maximum Quality Rating of 21 may be awarded for recreational facilities.
- (c) Evaluation. Scoring is to be based on the amount of area devoted to recreational facilities. A score of 21 is achieved when recreational facilities average 2000 square feet per dwelling unit. (Usable open space required by provisions of the Zoning Regulations shall be included in the determination of that average). The Quality Rating awarded shall be:

<u>Average Square Foot of Recreation Facilities per Dwelling Unit</u>	<u>Quality Rating</u>
500 sq. ft.	0
750 sq. ft.	1
1000 sq. ft.	3
1250 sq. ft.	6

1500 sq. ft.	10
1750 sq. ft.	15
2000 sq. ft.	21

(d) General Conditions

1. All recreational facilities shall be provided free to residents of the development.
2. Calculations may be based on group usable open space, but substitution of actual space with private usable open space shall be allowed, pursuant to the provisions for such substitution at Section 7354.
3. Except for exclusively adult developments, 20 percent of all space devoted to recreational facilities must be in facilities designed for children's use.
4. Passive open space facilities shall be counted only up to 25 percent of the adult recreational facility requirement.

(e) Permitted Recreational Facilities. Facilities provided shall be those listed within this subsection, except additional ones may be recommended by the applicant:

1. Children's Facilities: Tot Lot  
Minimum Size: 1500 square feet; 25' minimum diameter  
Standards: Equipment to be both kinetic (including but not limited to swings, slides, seesaws), and static (including but not limited to sandboxes, wading pools, climbing apparatus); benches for siting at the rate of 1 for each 500 square feet.
2. Children's Facilities: Playground for Intermediate Age Children  
Minimum Size: 2500 square feet; 35' minimum diameter  
Standards: Equipment to be both kinetic (including but not limited to swings, slides, seesaws), and static (including but not limited to sandboxes, wading pools, climbing apparatus); benches for siting at the rate of 1 for each 800 square feet.
3. Mixed Use and Adult Facilities: Passive Recreation Facilities, including but not limited to group and private usable open space.



4. Mixed Use and Adult Facilities: Swimming Pool, with a minimum 800 square feet water surface area.
5. Mixed Use and Adult Facilities: Tennis Court, with a minimum 7200 square feet per single court and enclosure.
6. Mixed Use and Adult Facilities: Basketball and Volleyball Courts, with a minimum size of 3000 square feet each.
7. Mixed Use and Adult Facilities: Equestrian, Pedestrian, and Bicycle Trails, with a minimum width of 15 feet.
8. Mixed Use and Adult Facilities: Turf play area, with a minimum area of 10,000 square feet.
9. Mixed Use and Adult Facilities: Man-made lake, with a minimum water surface area of 22,000 square feet.

#### SECTION 3062 QUALITY RATING PROVISION FOR LANDSCAPING

- (a) Intent. A Quality Rating shall be awarded to developments to encourage an overall increase in the amount and quality of landscaping, including preservation of important stands of existing trees, increased planting in parking areas and residential areas above required minimums, and landscaping along parkways, roadsides, and scenic resources.
- (b) Maximum Score. A maximum Quality Rating of 13 may be awarded for landscaping.
- (c) Evaluation. Scoring is to be based on the importance of the landscaping to the residents of the development as well as to the City at large.
  1. Local Evaluation: Maximum score for the evaluation of landscaping at the very local level is 7 points. Consideration is to be given to the total amount of area being landscaped (the greater the area, the higher the score), and the quantity and type of landscaping material employed. The score given for the local landscaping must represent an average for the entire parcel and, in all cases, must reflect only that landscaping which is above the required minimums. Well-landscaped developments should receive up to 4 points; cases of extraordinary landscaping where landscaping significantly increases the amenity value of a development should receive up to 7 points.



2. **City-Wide Evaluation:** Maximum score for this part is 6 points. The evaluation considers landscaping that directly affects the visual quality of Simi Valley as a whole. Some of the landscaping elements of City-wide significance include the preservation of mature and/or otherwise important trees (including but not limited to maintenance of citrus groves), special treatment adjacent to public use areas, and concealment of unattractive features such as walls around the perimeter of a development. Developments where landscaping has been employed to clearly improve the publicly visible character of a development should receive up to 3 points; landscaping that makes an extraordinary contribution to the visual quality of Simi Valley should receive up to 6 points.
- (d) **General Conditions.** All landscaping must be adequately maintained, and include installation of an appropriate irrigation system and suitable vegetative protective devices such as, but not limited to, curb stops.

#### SECTION 3063 QUALITY RATING PROVISION FOR PUBLIC USE OF PRIVATELY-OWNED OPEN SPACE AND RECREATIONAL FACILITIES

- (a) **Intent.** A Quality Rating shall be awarded to developments which make available to the public privately-owned and maintained open space and recreational resources. Typically, these open space and recreational resources would be provided and/or built for a specific residential development, would be maintained by a homeowner's or similar residential association, and would include active and passive recreational use areas.
- (b) **Maximum Score.** A maximum Quality Rating of 15 shall be awarded for public use of privately-owned and maintained open space and recreational facilities.
- (c) **Evaluation.** Open space and/or recreational facilities which are relatively common within Simi Valley and for which there is not considerable demand shall receive up to 6 points when made available for public use. Facilities for which there is a strong demand and which, as planned, would satisfy a quantifiably significant proportion of recreational demand, shall receive up to 15 points.
- (d) **General Conditions.**
  1. Mechanisms for assuring continued private facility maintenance are to be specified in detail in advance, including back-up mechanisms such as revolving bonding to significantly decrease any eventual requirement for City maintenance.

2. While facilities must be available for public use, a user fee is not prohibited. To insure that such fees do not effectively preclude public use, proposed public use fees, if any, must be stated at the time of the density increase submission. Once approved, the fee cannot be increased beyond the national average cost of living increase, as identified by the U. S. Department of Labor. Any fee increases beyond this amount or institution of a fee for the first time requires approval of the City Council inasmuch as such fees may act to reduce the public availability of facilities.

#### SECTION 3064 QUALITY RATING PROVISION FOR PUBLIC DEDICATION OF NATURAL RESOURCE AREAS

- (a) Intent. A Quality Rating shall be awarded to developments which publicly dedicate certain areas within Simi Valley that are considered of significant resource value by virtue of social, recreational, environmental, or cultural importance. Such resources include but are not limited to areas of natural vegetation, historic sites, lands adjacent watercourses, and foothill areas of 10 to 20 percent slope.
- (b) Maximum Score. A maximum Quality Rating of 20 shall be awarded for public dedication of natural resource areas.
- (c) Evaluation. Scoring is to be based on consideration of the importance of the resource and the physical size of the area being dedicated.
  1. A maximum score of 9 shall be awarded based on the importance of the resource. Factors to be considered are the significance of the particular resource and the public value to result from dedication. Areas of moderate value, including but not limited to areas such as remote and undistinguished hillsides, shall receive up to 3 points; areas of high value, including but not limited to areas such as important historic sites or land adjacent to existing public open space areas, shall receive up to 6 points; areas of extraordinary value, including but not limited to major links in the City/County/regional open space network, shall receive up to 9 points.
  2. A maximum score of 11 shall be awarded based on physical size. The Quality Rating awarded shall be:

<u>Acres of Publicly-Dedicated Land</u>	<u>Quality Rating</u>
0 to 29 acres =	0
30 to 49 acres =	1
50 to 99 acres =	2
100 to 199 acres =	5
200+ acres =	11

(d) General Conditions for Physical Size Quality Rating

1. Only land that is actually buildable may be counted in the size scoring.
2. Size scoring is cumulative. For example, dedication within the same development of three parcels of 40, 19, and 50 acres (total: 109 acres) results in a size score of 5. Similarly, three parcels of 30 acres each would result in size score of 2.

## SECTION 3065 QUALITY RATING PROVISION FOR SPECIAL FEATURES

- (a) Intent. A Quality Rating may be awarded developments to encourage the inclusion of special features or amenities within a development that are neither required by any provision of the Zoning Regulations nor specified within individual sections of these Residential Density Increase Provisions.
- (b) Maximum Score: A maximum Quality Rating of 8 shall be awarded for Special Features.
- (c) Evaluation. Scoring is to be based on two factors: private benefit and public benefit.
  1. The maximum score for private benefit is 4. Private benefit refers to the provision of special features or amenities within a development for which residents are the principal beneficiary. Such features may include but are not limited to, design excellence, enclosed parking for all cars, health clubs for residents.

2. The maximum score for public benefit is 4. Public benefit refers to design and amenity provisions which while of some value to residents of a development, are at least equally of public value. Such features may include but are not limited to serpentine fences or walls at the perimeter of a development, special design treatment to perimeter parkways including landscaped earth berms, curvilinear sidewalks, and access provisions to public use areas within the development from outside the development (trails, special bus service).



## SECTION 3070: PERMITTED DENSITY INCREASE

REQUIRED  
QUALITY  
RATING

## INDIVIDUAL RESIDENTIAL ZONES (UNITS PER GROSS ACRE)

	R-30	R-40	R-50	R-60	R-70	R-80
0-5	3.1	3.7	5.1	7.8	15.7	6.0
6-10			5.4	8.3	15.3	6.2
11-15			5.7	8.8	15.8	6.5
16-20			6.0	9.3	16.3	6.7
21-25	3.2		6.4	10.8	16.8	7.0
26-30		3.8	6.5	11.8	17.3	7.1
31-35		3.9	6.6	13.5	18.0	
36-40		4.0	6.7			
41-45	3.3	4.1	6.8			7.3
46-50		4.2	6.9			
51-55		4.3	7.0	13.7	18.2	7.5
56-60	3.4	4.4	7.1	13.9	18.4	
61-65		4.5	7.2	14.1	18.6	
66-70		4.6	7.3	14.3	18.8	
71-75	3.5	4.7	7.4	14.5	19.0	
76-80		4.8	7.5	14.7	19.2	8.0
81-85		4.9	7.6	14.9	19.4	
86-90	3.6	5.0	7.7	15.1	19.6	
91-95				15.3	19.8	
96-100				15.6	20.0	

## **R-10 (R-D) RURAL DENSITY RESIDENTIAL ZONE REGULATIONS**

**SECTION 3100 TITLE AND PURPOSE.** The provisions of Section 3100 through Section 3199 inclusive shall be known as the R-10 Rural Density Residential Zone Regulations. The R-10 Zone is intended to create and preserve areas for single family dwellings at rural densities within a spacious environment, and is typically appropriate to the foothills and outlying portions of the City, and to areas of 15-20 percent slope.

**SECTION 3110 PERMITTED ACTIVITIES.** The following activities, as described in the Use Classification at Section 2200, are permitted:

- (a) Residential Activities: Permanent
- (b) Civic Activities: Essential Service, Limited Child Care

**SECTION 3111 CONDITIONALLY PERMITTED ACTIVITIES.** The following activities, as described in the Use Classification at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150:

- (a) Civic Activities: Community Assembly, Community Education, Non-Assembly Cultural, Administrative, Utility and Vehicular, Extensive Impact
- (b) Commercial Activities: Animal Care
- (c) Agricultural and Extractive Activities: Plant Nursery, Crop Raising, Animal Raising
- (d) Off-street parking serving activities other than those listed within this Section or in Section 3110, subject to the conditions for such circumstances set forth in Section 7009.
- (e) Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions for such circumstances set forth in Section 7010.

**SECTION 3112 PERMITTED FACILITIES.** The following facilities, as described in the Use Classifications at Section 2200, are permitted:

- (a) Residential Facilities: One-Family Dwelling
- (b) Nonresidential Facilities: Enclosed

**SECTION 3113 CONDITIONALLY PERMITTED FACILITIES.** The following facilities, as described in the Use Classifications at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150:

- (a) Residential Facilities: Mobile Home
- (b) Nonresidential Facilities: Open

**SECTION 3120 MINIMUM LOT AREA, WIDTH, AND FRONTAGE.** Every lot shall have a minimum lot area of 43,000 square feet and a minimum lot width of 150 feet, except as provided in the Lot and Area Regulations at Section 7075. Every lot shall have a minimum frontage of 40 feet upon a street, except as this requirement is modified by Section 7076.

**SECTION 3121 MAXIMUM RESIDENTIAL DENSITY.** The maximum density of Residential Facilities shall be one dwelling unit on each lot.

**SECTION 3125 MAXIMUM HEIGHT.** Except as a greater height is allowed by Section 7100, the maximum height of buildings and other facilities shall be two stories and not exceeding 25 feet. Except as otherwise provided in Section 7105, no accessory building shall exceed 15 feet in height unless a conditional use permit for a greater height is granted pursuant to the Conditional Use Permit Procedure at Section 8150. See Section 7160 for maximum height of facilities within required yards.

**SECTION 3126 REQUIRED YARDS.** The following minimum yards shall be provided unobstructed except for the accessory structures or other facilities allowed therein by Section 7160

- (a) Front Yard. The minimum front yard depth on every lot shall be 30 feet.
- (b) Side Yard, Street Side. The minimum side yard width on the street side of every corner lot shall be as prescribed in Section 7155.

- (c) Side Yard, Interior. The minimum width of the side yard along any single interior lot shall be 20 feet. The minimum combined width of both such side yards shall be 20 percent of the lot width.
- (d) Rear Yard. The minimum rear yard depth on every lot shall be 30 feet, except as a lesser depth is allowed by Section 7154.

SECTION 3127 MINIMUM USABLE OPEN SPACE. On each lot containing a residential facility, usable open space shall be provided in the minimum amount of 2500 square feet. All required usable open space shall conform to the Usable Open Space Regulations at Section 7350.

SECTION 3130 OTHER ZONING PROVISIONS. All uses shall be subject to the applicable provisions of PART 7 REGULATIONS APPLYING IN ALL OR SEVERAL ZONES.



## **R-20 (R-VLD) VERY LOW DENSITY RESIDENTIAL ZONE REGULATIONS**

**SECTION 3200 TITLE AND PURPOSE.** The provisions of Section 3200 through Section 3299 inclusive shall be known as the R-20 Very Low Density Residential Zone Regulations. The R-20 Zone is intended to create and preserve areas for single-family dwellings at very low densities in spacious environments, and is typically appropriate to the foothills, outlying canyons, and slopes of 10-15 percent.

**SECTION 3210 PERMITTED ACTIVITIES.** The following activities, as described in the Use Classification at Section 2200, are permitted:

- (a) Residential Activities: Permanent
- (b) Civic Activities: Essential Service, Limited Child Care

**SECTION 3211 CONDITIONALLY PERMITTED ACTIVITIES.** The following activities, as described in the Use Classification at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150:

- (a) Civic Activities: Community Assembly, Community Education, Non-Assembly Cultural, Administrative, Utility and Vehicular, Extensive Impact
- (b) Commercial Activities: Animal Care
- (c) Agricultural and Extractive Activities: Plant Nursery, Crop Raising.
- (d) Off-street parking serving activities other than those listed within this Section 3210, subject to the conditions for such circumstances set forth in Section 7009.
- (e) Additional activities which are permitted or conditionally permitted near the boundary thereof, subject to the conditions for such circumstances set forth in Section 7010.

**SECTION 3212 PERMITTED FACILITIES.** The following facilities, as described in the Use Classifications at Section 2200, are permitted:

(a) Residential Facilities: One-Family Dwelling

(b) Nonresidential Facilities: Enclosed, Open

SECTION 3220 MINIMUM LOT AREA, WIDTH, AND FRONTAGE. Every lot shall have a minimum lot area of 15,000 square feet and a minimum lot width of 85 feet, except as provided in the Lot and Area Regulations at Section 7075. Every lot shall have a minimum frontage of 40 feet upon a street, except as this requirement is modified by Section 7076.

SECTION 3221 MAXIMUM RESIDENTIAL DENSITY. The maximum density of Residential Facilities shall be one dwelling unit on each lot.

SECTION 3225 MAXIMUM HEIGHT. Except as a greater height is allowed by Section 7100, the maximum height of buildings and other facilities shall be two stories and not exceeding 25 feet. Except as otherwise provided in Section 7105, no accessory building shall exceed 15 feet in height unless a conditional use permit for a greater height is granted pursuant to the Conditional Use Permit Procedure at Section 8150. See Section 7160 for maximum height of facilities within required yards.

SECTION 3226 REQUIRED YARDS. The following minimum yards shall be provided unobstructed except for the accessory structures or other facilities allowed therein by Section 7160.

- (a) Front Yard. The minimum front yard depth on every lot shall be 30 feet.
- (b) Side Yard, Street Side. The minimum side yard width on the street side of every corner lot shall be as prescribed in Section 7155.
- (c) Side Yard, Interior. Subject to the provisions for interior side yards at Section 7151, the minimum width of the side yard along any single interior lot shall be five feet. The minimum combined width of two interior side yards shall be 20 percent of the lot width.
- (d) Rear Yard. The minimum rear yard depth on every lot shall be 30 feet, except as a lesser depth is allowed by Section 7154.

SECTION 3227 MINIMUM USABLE OPEN SPACE. On each lot containing a residential facility, usable open space shall be provided in the minimum amount of 2500 square feet. All required usable open space shall conform to the Usable Open Space Regulations at Section 7350.

SECTION 3230 OTHER ZONING PROVISIONS. All uses shall be subject to the applicable provisions of PART 7 REGULATIONS APPLYING IN ALL OR SEVERAL ZONES.

## **R-30 (R-LD) LOW DENSITY RESIDENTIAL ZONE REGULATIONS**

**SECTION 3300 TITLE AND PURPOSE.** The provisions of Section 3300 through Section 3399 inclusive shall be known as the R-30 Low Density Residential Zone Regulations. The R-30 Zone is intended to create and preserve areas for single-family dwellings at densities of 3.1 dwelling units per gross acre. Major or minor subdivisions that would result in densities below 2.6 units per gross acre shall not be permitted in the R-30 Zone. The R-30 Zone is typically appropriate to the Valley floor at the periphery of the more intensively developed portions of the City.

**SECTION 3310 PERMITTED ACTIVITIES.** The following activities, as described in the Use Classification at Section 2200, are permitted:

- (a) Residential Activities: Permanent
- (b) Civic Activities: Essential Service, Limited Child-Care

**SECTION 3311 CONDITIONALLY PERMITTED ACTIVITIES.** The following activities, as described in the Use Classification at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150:

- (a) Civic Activities: Community Assembly, Community Education, Non-Assembly Cultural, Administrative, Utility and Vehicular, Extensive Impact
- (b) Agricultural and Extractive Activities: Plant Nursery, Crop Raising
- (c) Off-street parking serving activities other than those listed within this Section or in Section 3310, subject to the conditions for such circumstances set forth in Section 7009.
- (d) Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions for such circumstances, set forth in Section 7010.

**SECTION 3312 PERMITTED FACILITIES.** The following facilities, as described in the Use Classifications at Section 2200, are permitted:



(a) Residential Facilities: One-Family Dwelling

(b) Nonresidential Facilities: Enclosed, Open

**SECTION 3320 MINIMUM LOT AREA, WIDTH, AND FRONTAGE.** Every lot shall have a minimum lot area of 11,000 square feet and a minimum lot width of 75 feet, except as provided in the Lot and Area Regulations at Section 7075. Every lot shall have a minimum frontage of 40 feet upon a street, except as this requirement is modified by Section 7076.

**SECTION 3321 MAXIMUM RESIDENTIAL DENSITY.** The maximum density of Residential Facilities shall be one dwelling unit on each lot.

**SECTION 3325 MAXIMUM HEIGHT.** Except as a greater height is allowed by Section 7100, the maximum height of buildings and other facilities shall be two stories and not exceeding 25 feet. Except as otherwise provided in Section 7105, no accessory building shall exceed 15 feet in height unless a conditional use permit for a greater height is granted pursuant to the Conditional Use Permit Procedure at Section 8150. See Section 7160 for maximum height of facilities within required yards.

**SECTION 3326 REQUIRED YARDS.** The following minimum yards shall be provided unobstructed except for the accessory structures or other facilities allowed therein by Section 7160.

- (a) Front Yard. The minimum front yard depth on every lot shall be 20 feet.
- (b) Side Yard, Street Side. The minimum side yard width on the street side of every corner lot shall be as prescribed in Section 7155.
- (c) Side Yard, Interior. Subject to the provisions for interior side yards at Section 7151, the minimum width of the side yard along any single interior lot shall be five feet. The minimum combined width of two interior side yards shall be 20 percent of the lot width.
- (d) Rear Yard. The minimum rear yard depth on every lot shall be 20 feet, except as a lesser depth is allowed by Section 7154.

SECTION 3327 MINIMUM USABLE OPEN SPACE. On each lot containing a residential facility, usable open space shall be provided in the minimum amount of 2000 square feet. All required usable open space shall conform to the Usable Open Space Regulations at Section 7350.

SECTION 3330 OTHER ZONING PROVISIONS. All uses shall be subject to the applicable provisions of PART 7 REGULATIONS APPLYING IN ALL OR SEVERAL ZONES.

## **R-40 (R-MD) MEDIUM DENSITY RESIDENTIAL ZONE REGULATIONS**

**SECTION 3400 TITLE AND PURPOSE.** The provisions of Section 3400 through Section 3499 inclusive shall be known as the R-40 Medium Density Residential Zone Regulations. The R-40 Zone is intended to create and preserve areas for single family dwellings at densities of 3.7 dwelling units per gross acre. Major or minor subdivisions that would result in densities below 3.2 units per gross acre shall not be permitted in the R-40 Zone. The R-40 Zone is appropriate for the majority of single-family areas within Simi Valley and would typically be applied along the Valley floor.

**SECTION 3410 PERMITTED ACTIVITIES.** The following activities, as described in the Use Classification at Section 2200, are permitted:

- (a) Residential Activities: Permanent
- (b) Civic Activities: Essential Service, Limited Child-Care

**SECTION 3411 CONDITIONALLY PERMITTED ACTIVITIES.** The following activities, as described in the Use Classification at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150:

- (a) Civic Activities: Community Assembly, Community Education, Non-Assembly Cultural, Administrative, Utility and Vehicular, Extensive Impact
- (b) Agricultural and Extractive Activities: Plant Nursery, Crop Raising
- (c) Off-street parking serving activities other than those listed within this Section or in Section 3410, subject to the conditions for such circumstances set forth in Section 7009.
- (d) Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions for such circumstances set forth in Section 7010.

**SECTION 3412 PERMITTED FACILITIES.** The following facilities, as described in the Use Classifications at Section 2200, are permitted:

(a) Residential Facilities: One-Family Dwelling

(b) Nonresidential Facilities: Enclosed, Open

**SECTION 3420 MINIMUM LOT AREA, WIDTH, AND FRONTAGE.** Every lot shall have a minimum lot area of 9,000 square feet and a minimum lot width of 65 feet, except as provided in the Lot and Area Regulations at Section 7075. Every lot shall have a minimum frontage of 40 feet upon a street, except as this requirement is modified by Section 7076.

**SECTION 3421 MAXIMUM RESIDENTIAL DENSITY.** The maximum density of Residential Facilities shall be one dwelling unit on each lot.

**SECTION 3425 MAXIMUM HEIGHT.** Except as a greater height is allowed by Section 7100, the maximum height of buildings and other facilities shall be two stories and not exceeding 25 feet. Except as otherwise provided in Section 7105, no accessory building shall exceed 15 feet in height unless a conditional use permit for a greater height is granted pursuant to the Conditional Use Permit Procedure at Section 8150. See Section 7160 for maximum height of facilities within required yards.

**SECTION 3426 REQUIRED YARDS.** The following minimum yards shall be provided unobstructed except for the accessory structures or other facilities allowed therein by Section 7160.

- (a) Front Yard. The minimum front yard depth on every lot shall be 20 feet.
- (b) Side Yard, Street Side. The minimum side yard width on the street side of every corner lot shall be as prescribed in Section 7155.
- (c) Side Yard, Interior. Subject to the provisions for interior side yards at Section 7151, the minimum width of the side yard along any single interior lot shall be five feet. The minimum combined width of both such side yards shall be 20 percent of the lot width.
- (d) Rear Yard. The minimum rear yard depth on every lot shall be 20 feet, except as a lesser depth is allowed by Section 7154.



**SECTION 3427 MINIMUM USABLE OPEN SPACE.** On each lot containing a residential facility, usable open space shall be provided in the minimum amount of 2,000 square feet. All required usable open space shall conform to the Usable Open Space Regulations at Section 7350.

**SECTION 3429 SPECIAL REGULATIONS FOR CERTAIN DEVELOPMENTS.** Developments on four acres or more, or on four acres or less when special resource characteristics exist, shall be subject to the Planned Unit Development Procedure at Section 8250. In developments which are approved pursuant to said regulations, certain of the regulations otherwise applying the R-40 Zone may be waived or modified.

**SECTION 3430 OTHER ZONING PROVISIONS.** All uses shall be subject to the applicable provisions of PART 7 REGULATIONS APPLYING IN ALL OR SEVERAL ZONES.

## **R-50 (R-ID) INTERMEDIATE DENSITY RESIDENTIAL ZONE REGULATIONS**

**SECTION 3500 TITLE AND PURPOSE.** The provisions of Section 3500 through Section 3599 inclusive shall be known as the R-50 Intermediate Density Residential Zone Regulations. The R-50 Zone is intended to create and preserve areas for two-family and multi-family dwellings at densities of 5.1 dwelling units per gross acre. Major or minor subdivisions that would result in densities below 4.6 units per gross acre shall not be permitted in the R-50 Zone. The R-50 Zone would typically be applied to areas where multi-family living at minimum densities is desired.

**SECTION 3510 PERMITTED ACTIVITIES.** The following activities, as described in the Use Classification at Section 2200, are permitted:

- (a) Residential Activities: Permanent
- (b) Civic Activities: Essential Service, Limited Child-Care

**SECTION 3511 CONDITIONALLY PERMITTED ACTIVITIES.** The following activities, as described in the Use Classification at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150:

- (a) Civic Activities: Nursing Home, Community Assembly, Community Education, Non-Assembly Cultural, Administrative, Health Care, Utility and Vehicular, Extensive Impact
- (b) Commercial Activities: Food Sales and Service
- (c) Agricultural and Extractive Activities: Crop Raising
- (d) Off-street parking serving activities other than those listed within this Section or in Section 3510, subject to the conditions for such circumstances set forth in Section 7009.
- (e) Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions for such circumstances set forth in Section 7010.

**SECTION 3512 PERMITTED FACILITIES.** The following facilities, as described in the Use Classifications at Section 2200, are permitted:

- (a) Residential Facilities: One-Family Dwelling, Two-Family Dwelling, Multi-Family Dwellings
- (b) Nonresidential Facilities: Enclosed

**SECTION 3513 CONDITIONALLY PERMITTED FACILITIES.** The following facilities, as described in the Use Classifications at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150:

- (a) Residential Facilities: Rooming House
- (b) Nonresidential Facilities: Open

**SECTION 3520 MINIMUM LOT AREA, WIDTH, AND FRONTAGE.** Every lot shall have a minimum lot area of 12,800 square feet and a minimum lot width of 80 feet, except as provided in the Lot and Area Regulations at Section 7075. Every lot shall have a minimum frontage of 40 feet upon a street, except as this requirement is modified by Section 7076.

**SECTION 3521 MAXIMUM RESIDENTIAL DENSITY.** The maximum density of Residential Facilities shall be as set forth below:

- (a) One dwelling unit is permitted on a lot which has less than 12,800 square feet only if it qualifies under Section 7075 (a) as an existing buildable parcel.
- (b) Two dwelling units are permitted on each lot having a total lot area of 12,800 square feet or more.
- (c) Three or more dwelling units are permitted on each lot if the total lot area is not less than 6,400 square feet for each dwelling unit.

**SECTION 3525 MAXIMUM HEIGHT.** Except as a greater height is allowed by Section 7100, the maximum height of buildings and other facilities shall be two stories and not exceeding 25 feet. Except as otherwise provided in Section 7105, no accessory

building shall exceed 15 feet in height unless a conditional use permit for a greater height is granted pursuant to the Conditional Use Permit Procedure at Section 8150. See Section 7160 for maximum height of facilities within required yards.

**SECTION 3526 REQUIRED YARDS.** The following minimum yards shall be provided unobstructed except for the accessory structures or other facilities allowed therein by Section 7160.

- (a) **Front Yard.** The minimum front yard depth on every lot shall be 20 feet.
- (b) **Side Yard, Street Side.** The minimum side yard width on the street side of every corner lot shall be as prescribed in Section 7155.
- (c) **Side Yard, Interior.**
  - 1. The minimum side yard width along each interior side line of every lot shall be 10 percent of the lot width, provided, however, that no such side yard shall be less than five feet in width nor be required to exceed 15 feet in width.
  - 2. A side yard with a width greater than required by Section 3526 (c) 1 shall be provided, when as prescribed in Section 7157, opposite a living room window which faces an interior side lot line and which is located on a lot containing Residential Facilities with a total of two or more living units.
- (d) **Rear Yard.** The minimum rear yard depth on every lot shall be 20 feet, except as a lesser depth is allowed by Section 7154.
- (e) **Courts.** On each lot containing Residential Facilities with a total of two or more living units, courts shall be provided when and as required by Section 7158.

**SECTION 3527 MINIMUM USABLE OPEN SPACE.** Required usable open space on lots containing residential facilities shall be as set forth below:

- (a) On each lot containing a Residential Facility with one living unit, usable open space shall be provided in the minimum amount of 1,500 square feet.
- (b) On each lot containing a Residential Facility with two or more living units, usable open space shall be provided in the minimum amount of 2,500 square



feet or 500 square feet per dwelling unit, whichever is the greater. All required usable open space shall conform to the Usable Open Space Regulations at Section 7350.

**SECTION 3529 SPECIAL REGULATIONS FOR CERTAIN DEVELOPMENTS.** Developments on four acres or more, or on four acres or less when special resource characteristics exist, shall be subject to the Planned Unit Development Procedure at Section 8250. In developments which are approved pursuant to said regulations, certain of the regulations otherwise applying the R-50 Zone may be waived or modified.

**SECTION 3530 OTHER ZONING PROVISIONS.** All uses shall be subject to the applicable provisions of PART 7 REGULATIONS APPLYING IN ALL OR SEVERAL ZONES.

## **R-60 (R-HD) HIGH DENSITY RESIDENTIAL ZONE REGULATIONS**

**SECTION 3600 TITLE AND PURPOSE.** The provisions of Section 3600 through Section 3699 inclusive shall be known as the R-60 High Density Residential Zone Regulations. The R-60 Zone is intended to create and preserve areas for two-family and multi-family dwelling at densities of 7.8 dwelling units per gross acre. Major or minor subdivisions that would result in densities below 7.3 units per gross acre shall not be permitted in the R-60 Zone. The R-60 Zone is appropriate to areas where it may act as a buffer between lower-density residential uses and commercial or higher density residential uses.

**SECTION 3610 PERMITTED ACTIVITIES.** The following activities, as described in the Use Classification at Section 2200, are permitted:

- (a) Residential Activities: Permanent
- (b) Civic Activities: Essential Service, Limited Child-Care, Community Assembly, Community Education, Non-Assembly Cultural

**SECTION 3611 CONDITIONALLY PERMITTED ACTIVITIES.** The following activities, as described in the Use Classification at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150:

- (a) Civic Activities: Nursing Home, Administrative, Health Care, Utility and Vehicular, Extensive Impact
- (b) Commercial Activities: Food Sales and Service
- (c) Agricultural and Extractive Activities: Crop Raising
- (d) Off-street parking serving activities other than those listed within this Section or in Section 3610, subject to the conditions for such circumstances set forth in Section 7009.
- (e) Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions for such circumstances set forth in Section 7010.

**SECTION 3612 PERMITTED FACILITIES.** The following facilities, as described in the Use Classifications at Section 2200, are permitted:

- (a) Residential Facilities: One-Family Dwelling, Two-Family Dwelling, Multi-Family Dwelling
- (b) Nonresidential Facilities: Enclosed

**SECTION 3613 CONDITIONALLY PERMITTED FACILITIES.** The following facilities, as described in the Use Classifications at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150:

- (a) Residential Facilities: Rooming House
- (b) Nonresidential Facilities: Open

**SECTION 3620 MINIMUM LOT AREA, WIDTH, AND FRONTAGE.** Every lot shall have a minimum lot area of 10,000 square feet and a minimum lot width of 75 feet, except as provided in the Lot and Area Requirements at Section 7075. Every lot shall have a minimum frontage of 40 feet upon a street, except as this requirement is modified by Section 7076.

**SECTION 3621 MAXIMUM RESIDENTIAL DENSITY.** The maximum density of Residential Facilities shall be as set forth below:

- (a) One dwelling unit is permitted on a lot which has less than 10,000 square feet only if it qualifies under Section 7075 (a) as an existing buildable parcel.
- (b) Two dwelling units are permitted on each lot having a total lot area of 10,000 square feet or more.
- (c) Three or more dwelling units are permitted on each lot if the total lot area is not less than 5,000 square feet for each dwelling unit.

**SECTION 3625 MAXIMUM HEIGHT.** Except as a greater height is allowed by Section 7100, the maximum height of buildings and other facilities shall be three stories and not exceeding 35 feet. Except as otherwise provided in Section 7105, no accessory

building shall exceed 15 feet in height unless a conditional use permit for a greater height is granted pursuant to the Conditional Use Permit Procedure at Section 8150. See Section 7160 for maximum height of facilities within required yards.

**SECTION 3626 REQUIRED YARDS.** The following minimum yards shall be provided unobstructed except for the accessory structures or other facilities allowed therein by Section 7160.

- (a) **Front Yard.** The minimum front yard depth on every lot shall be 20 feet.
- (b) **Side Yard, Street Side.** The minimum side yard width on the street side of every corner lot shall be as prescribed in Section 7155.
- (c) **Side Yard, Interior.**
  - 1. The minimum side yard width along each interior side line of every lot shall be 10 percent of the lot width, provided, however, that no such side yard shall be less than five feet in width nor be required to exceed 15 feet in width.
  - 2. A side yard with a width greater than required by Section 3626 (c) 1 shall be provided, when as prescribed in Section 7157 opposite a living room window which faces an interior side lot line and which is located on a lot containing Residential Facilities with a total of two or more living units.
- (d) **Rear Yard.** The minimum rear yard depth on every lot shall be 20 feet, except as a lesser depth is allowed by Section 7154.
- (e) **Courts.** On each lot containing Residential Facilities with a total of two or more living units, courts shall be provided when and as required by Section 7158.

**SECTION 3627 MINIMUM USABLE OPEN SPACE.** Required usable open space on lots containing Residential Facilities shall be as set forth below:

- (a) On each lot containing a Residential Facility with one living unit, usable open space shall be provided in the minimum amount of 1,500 square feet.
- (b) On each lot containing a Residential Facility with two or more living units, usable open space shall be provided in the minimum amount of 2,500 square



feet or 500 square feet per dwelling unit, whichever is the greater. All required usable open space shall conform to the Usable Open Space Regulations at Section 7350.

SECTION 3629 SPECIAL REGULATIONS FOR CERTAIN DEVELOPMENTS. Developments on four acres or more, or on four acres or less when special resource characteristics exist, shall be subject to the Planned Unit Development Procedure at Section 8250. In developments which are approved pursuant to said regulations, certain of the regulations otherwise applying the R-60 Zone may be waived or modified.

SECTION 3630 OTHER ZONING PROVISIONS. All uses shall be subject to the applicable provisions of PART 7 REGULATIONS APPLYING IN ALL OR SEVERAL ZONES.

## **R-70 (R-VHD) VERY HIGH DENSITY RESIDENTIAL ZONE REGULATIONS**

**SECTION 3700 TITLE AND PURPOSE.** The provisions of Section 3700 through Section 3799 inclusive shall be known as the R-70 Very High Density Residential Zone Regulations. The R-70 Zone is intended to create and preserve areas for multi-family dwelling at densities of 15.7 dwelling units per gross acre. Major or minor subdivisions that would result in densities below 15.2 units per gross acre shall not be permitted in the R-70 Zone. The R-70 Zone is appropriate where high density in desirable settings is required, and where good access to transportation routes and shopping and community centers is available.

**SECTION 3710 PERMITTED ACTIVITIES.** The following activities, as described in the Use Classification at Section 2200, are permitted:

- (a) Residential Activities: Permanent, Semi-Transient
- (b) Civic Activities: Essential Service, Limited Child-Care, Community Assembly, Community Education, Non-Assembly Cultural

**SECTION 3711 CONDITIONALLY PERMITTED ACTIVITIES.** The following activities, as described in the Use Classification at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150:

- (a) Civic Activities: Nursing Home, Administrative, Health Care, Utility and Vehicular, Extensive Impact
- (b) Commercial Activities: Food Sales and Service, Convenience Sales and Service, Medical Service
- (c) Agricultural and Extractive Activities: Crop Raising
- (d) Off-street parking serving activities other than those listed within this Section or in Section 3710, subject to the conditions in such circumstances set forth in Section 7009.
- (e) Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions for such circumstances set forth in Section 7010.

**SECTION 3712 PERMITTED FACILITIES.** The following facilities, as described in the Use Classifications at Section 2200, are permitted:

- (a) Residential Facilities: One-Family Dwelling, Two-Family Dwelling, Multi-Family Dwelling, Rooming House
- (b) Nonresidential Facilities: Enclosed

**SECTION 3713 CONDITIONALLY PERMITTED FACILITIES.** The following facilities, as described in the Use Classifications at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150:

- (a) Nonresidential Facilities: Open

**SECTION 3720 MINIMUM LOT AREA, WIDTH, AND FRONTAGE.** Every lot shall have a minimum lot area of 43,000 square feet and a minimum lot width of 150 feet, except as provided in the Lot and Area Regulations at Section 7075. Every lot shall have a minimum frontage of 40 feet upon a street, except as this requirement is modified by Section 7076.

**SECTION 3721 MAXIMUM RESIDENTIAL DENSITY.** The maximum density of Residential Facilities shall be one dwelling unit for each 2,500 square feet of lot area.

**SECTION 3725 MAXIMUM HEIGHT.** Except as a greater height is allowed by Section 7100, the maximum height of buildings and other facilities shall be six stories and not exceeding 60 feet. Except as otherwise provided in Section 7105, no accessory building shall exceed 15 feet in height unless a conditional use permit for a greater height is granted pursuant to the Conditional Use Permit Procedure at Section 8150. See Section 7160 for maximum height of facilities within required yards.

**SECTION 3726 REQUIRED YARDS.** The following minimum yards shall be provided unobstructed except for the accessory structures or other facilities allowed therein by Section 7160.

- (a) Front Yard. The minimum front yard on every lot shall be 30 feet.
- (b) Side Yard, Street Side. The minimum side yard width on the street side of every corner lot shall be as prescribed in Section 7155. See also

**Special Setback Regulations at Section 3728.**

**(c) Side Yard, Interior.**

1. The minimum side yard width along each interior side line of every lot shall be 10 percent of the lot width, provided, however, that no such side yard shall be less than five feet in width nor be required to exceed 20 feet in width. See Special Setback Regulations at Section 3728.
2. A side yard with a width greater than required by Section 3726 (c) 1 shall be provided, when as prescribed in Section 7157, opposite a living room window which faces an interior side lot line and which is located on a lot containing Residential Facilities with a total of two or more living units.

- (d) **Rear Yard.** The minimum rear yard depth on every lot shall be 30 feet, except as a lesser depth is allowed by Section 7154. See Special Setback Regulations at Section 3728.
- (e) **Courts.** On each lot containing Residential Facilities with a total of two or more living units, courts shall be provided when and as required by Section 7158.

**SECTION 3727 MINIMUM USABLE OPEN SPACE.** Required usable open space on lots containing Residential Facilities shall be as set forth below:

- (a) On each lot containing a Residential Facility with one living unit, usable open space shall be provided in the minimum amount of 1,500 square feet.
- (b) On each lot containing a Residential Facility with two or more living units, usable open space shall be provided in the minimum amount of 2,500 square feet or 500 square feet per dwelling unit, whichever is the greater. All required usable open space shall conform to the Usable Open Space Regulations at Section 7350.

**SECTION 3728 SPECIAL SETBACK REGULATIONS.** Special setback regulations for sideyards and rear yards within the R-70 Zone shall apply to all residential development greater than two stories or exceeding 25 feet in height. Only one of the following setback alternatives shall apply:



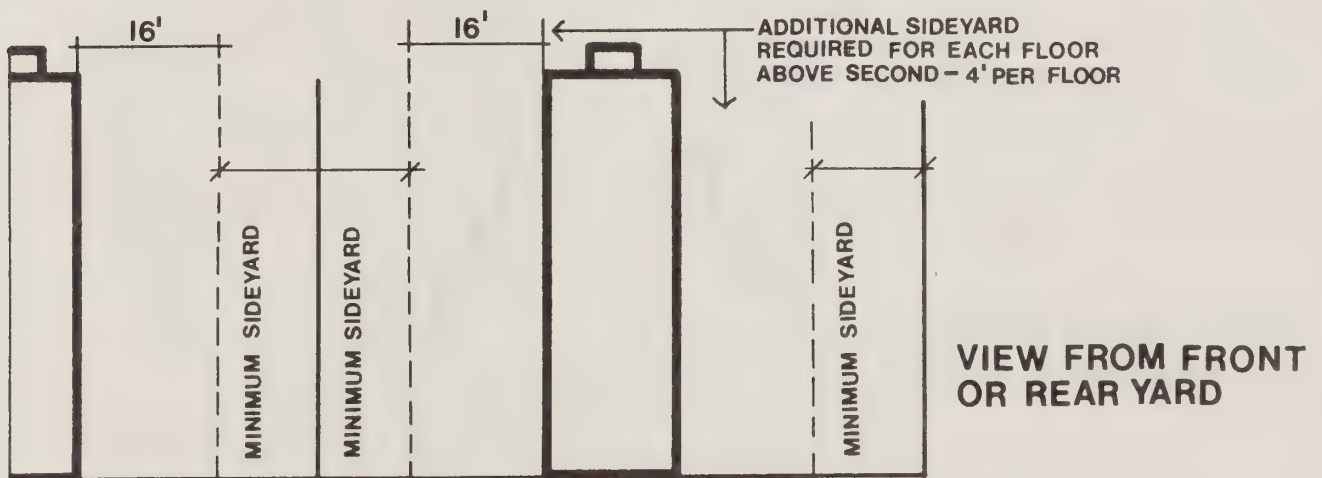
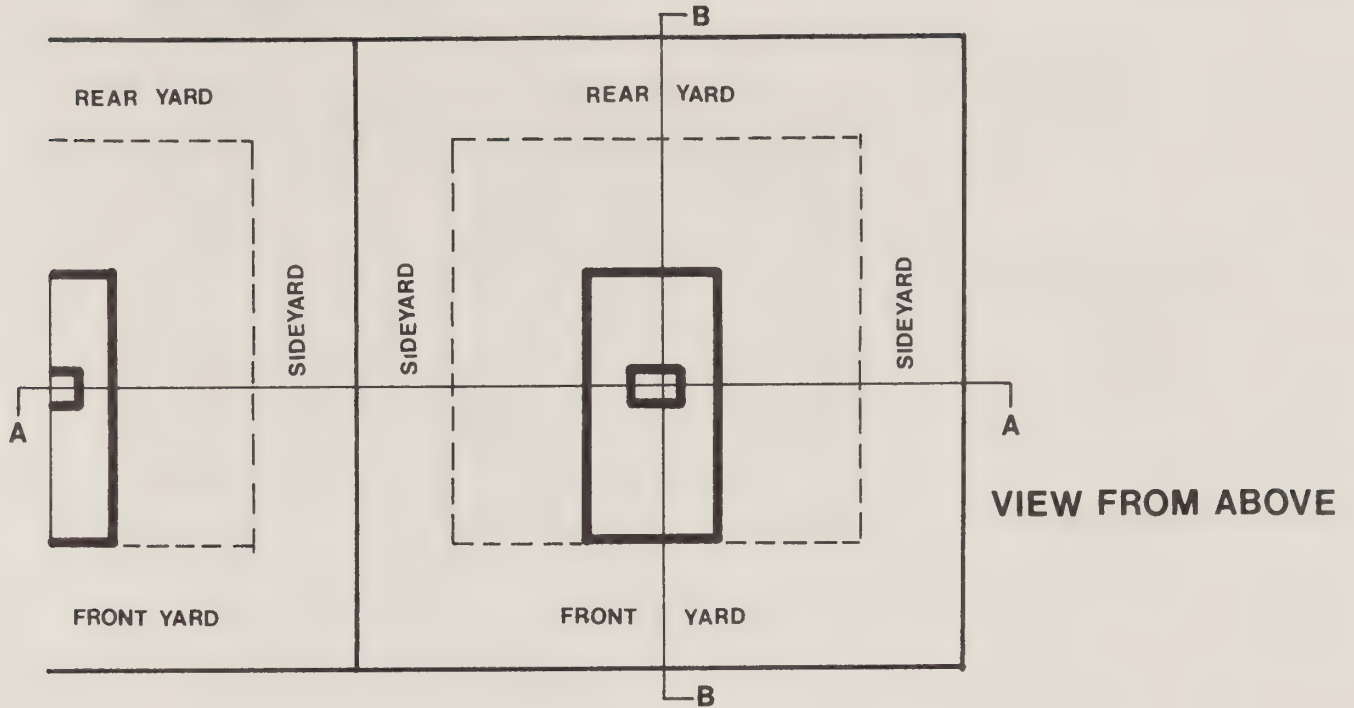
- (a) **Uniform Plane Setback.** In addition to the required yards specified at Section 3726 (b), (c), and (d), and notwithstanding the maximum side-yard provisions of Section 3726 (c) 1, an additional four feet shall be added at grade to the rear yard and each side yard for each story of the structure above the second story or above 25 feet. (See illustration 1-4).
- (b) **Stepped Setback.** At each story above the second or above 25 feet, a setback of five feet shall be provided at that story to the rear yard and each side yard. (See illustration 1-5) Such setbacks may serve as usable open space, pursuant to the Usable Open Space Regulations at Section 7350.

**SECTION 3729 SPECIAL REGULATIONS FOR CERTAIN DEVELOPMENTS.** Developments on four acres or more, or on four acres or less when special resource characteristics exist, shall be subject to the Planned Unit Development Procedure at Section 8250. In developments which are approved pursuant to said regulations, certain of the regulations otherwise applying the R-70 Zone may be waived or modified.

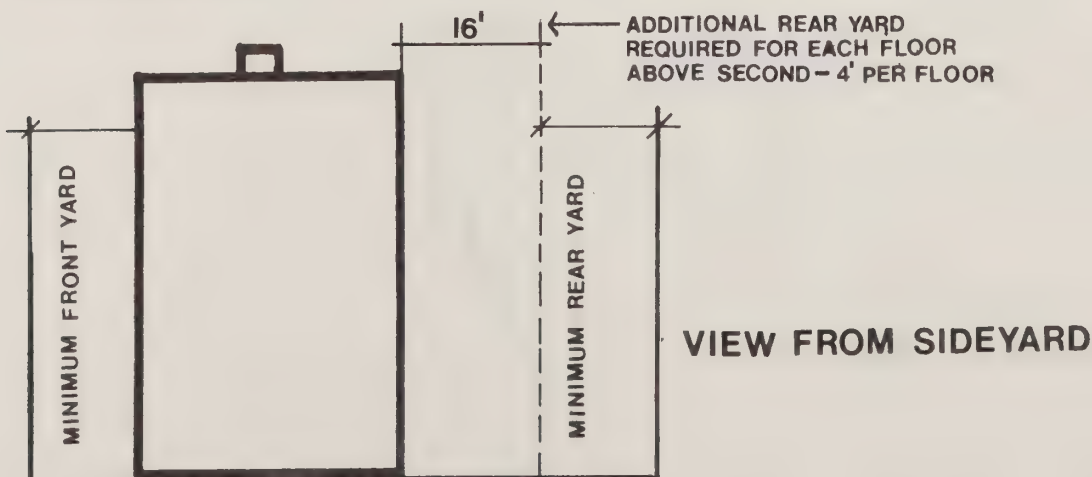
**SECTION 3730 OTHER ZONING PROVISIONS.** All uses shall be subject to the applicable provisions of PART 7 REGULATIONS APPLYING IN ALL OR SEVERAL ZONES.

## I-4: UNIFORM PLANE SETBACK

### SECTION 3728(a)



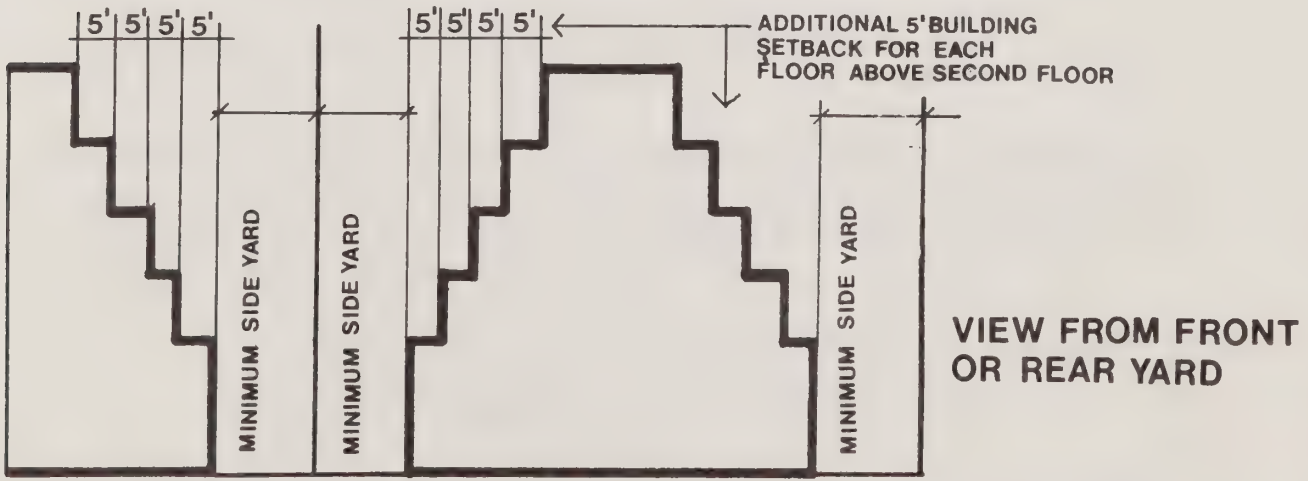
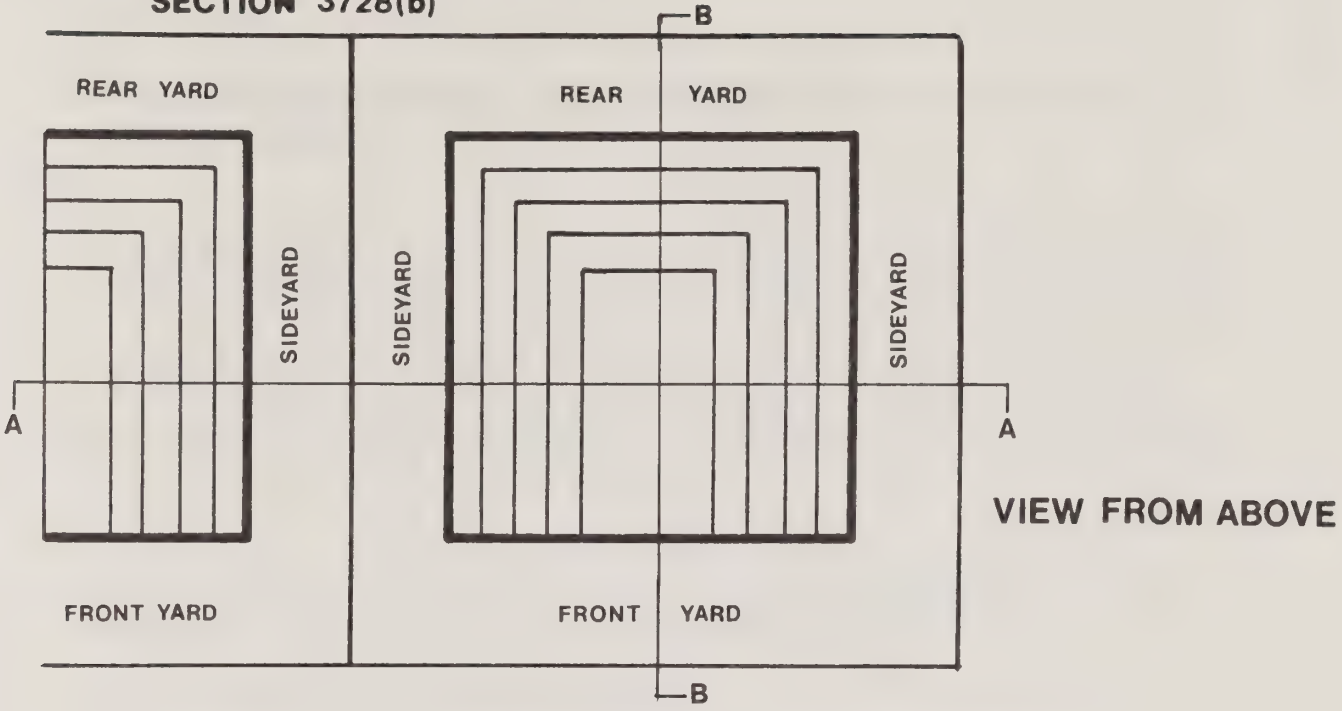
SECTION A-A



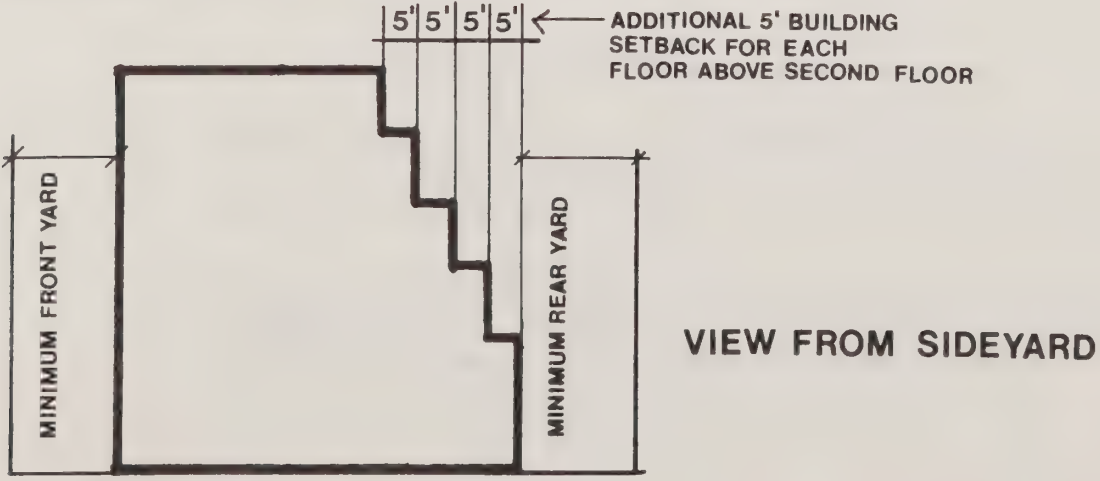
SECTION B-B



**I-5: STEPPED SETBACK**  
**SECTION 3728(b)**



**SECTION A-A**



**SECTION B-B**





## **R-80 (R-MHP) MOBILE HOME PARK RESIDENTIAL ZONE REGULATIONS**

**SECTION 3800 TITLE AND PURPOSE.** The provisions of Section 3800 through Section 3899 inclusive shall be known as the R-80 Mobile Home Park Residential Zone Regulations. The R-80 Zone is intended to create and preserve areas containing attractive mobile home parks at densities of six units per gross acre. The R-80 Zone would typically be applied to areas with good access to major thoroughfares, but not in areas of strategic visual importance such as gateways to the City and foregrounds of major vistas.

**SECTION 3810 PERMITTED ACTIVITIES.** The following activities, as described in the Use Classification at Section 2200, are permitted:

- (a) Residential Activities: Permanent
- (b) Civic Activities: Essential Service, Limited Child-Care

**SECTION 3811 CONDITIONALLY PERMITTED ACTIVITIES.** The following activities, as described in the Use Classification at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150:

- (a) Civic Activities: Nursing Home, Community Assembly, Community Education, Non-Assembly Cultural, Administrative, Health Care, Utility and Vehicular, Extensive Impact
- (b) Commercial Activities: Food Sales and Service, Convenience Sales and Service
- (c) Agricultural and Extractive Activities: Crop Raising
- (d) Off-street parking serving activities other than those listed within this Section or in Section 3810, subject to the conditions for such circumstances set forth in Section 7009.
- (e) Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions for such circumstances set forth in Section 7010.

**SECTION 3812 PERMITTED FACILITIES.** The following facilities, as described in the Use Classifications at Section 2200, are permitted:

- (a) Residential Facilities: Mobile Home
- (b) Nonresidential Facilities: Enclosed

**SECTION 3813 CONDITIONALLY PERMITTED FACILITIES.** The following facilities, as described in the Use Classifications at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150:

- (a) Nonresidential Facility: Open

**SECTION 3818 MOBILE HOME PARK STANDARDS**

- (a) Minimum Size. Mobile Home Residential Facilities shall not be located on any lot having a lot area of less than 43,000 square feet.
- (b) Maximum Size. The maximum size of a Mobile Home Park shall be 500 Mobile Home spaces.
- (c) Maximum Density. The maximum density in a Mobile Home Park shall be one Mobile Home for each 6,500 square feet of lot area in said park.
- (d) Maximum Height. Except as a greater height is allowed by Section 7100, the maximum height of buildings and other facilities shall be two stories and not exceeding 25 feet. Except as otherwise provided in Section 7105, no accessory building shall exceed 15 feet in height unless a conditional use permit for a greater height is granted pursuant to the Conditional Use Permit Procedure at Section 8150.
- (e) Minimum Usable Open Space. Group usable open space shall be provided in the minimum amount of 300 square feet per Mobile Home. All required usable open space shall conform to the Usable Open Space Regulations at Section 7350.
- (f) Landscaping. All areas in a Mobile Home Park which are not developed to Mobile Home pads, walkways, driveways, parking or loading areas, patios, usable open space, or recreation or service facilities shall be developed with lawn, ground cover, garden shrubs, or trees, subject to Landscaping, Screening, and Buffering Regulations at Section 7300. Dense

landscaping not less than five feet high and not less than three feet wide shall be provided along all lot lines, exclusive of necessary walkways and driveways, subject to the Landscaping, Buffering, and Screening Regulations and the exceptions stated therein.

- (g) Walkways. Walkways shall provide direct access between abutting streets and all individual Mobile Home sites.

SECTION 3819 MOBILE HOME SITE STANDARDS. The site for each individual Mobile Home shall have a minimum area of 2,000 square feet and a minimum width of 30 feet. No Mobile Home shall be closer than 20 feet to any other Mobile Home or to any street line, nor closer than 10 feet to any lot line other than a street line.

SECTION 3829 SPECIAL REGULATIONS FOR CERTAIN DEVELOPMENTS. Developments on four acres or more, or on four acres or less when special resource characteristics exist, may be subject to the Planned Unit Development Procedure at Section 8250. In developments which are approved pursuant to said regulations, certain of the regulations otherwise applying the R-80 Zone may be waived or modified.

SECTION 3830 OTHER ZONING PROVISIONS. All uses shall be subject to the applicable provisions of PART 7 REGULATIONS APPLYING IN ALL OR SEVERAL ZONES.



## **PART 4: REGULATIONS APPLYING IN INDIVIDUAL COMMERCIAL ZONES**

**SECTION 4000 GENERAL INTENT OF THE COMMERCIAL ZONE REGULATIONS.** The provisions of Section 4000 through Section 4999, inclusive, shall be known as the Simi Valley Commercial Zone Regulations. These regulations are intended to provide maximum flexibility in the design of new structures and facilities for commercial use within Simi Valley in accordance with policies and principles established by the Simi Valley General Plan. It is intended that most new commercial development within Simi Valley shall consist of and occur in shopping centers of various sizes, planned and developed as integrated units. However, such unitary plans shall not be required for the construction of a facility for commercial use on a parcel less than four acres so long as the parcel directly abuts a lot on which commercial use currently exists and is a reasonable continuation of the existing commercial uses within the commercial zone.

## **C-10 (C-C) CONVENIENCE COMMERCIAL ZONE REGULATIONS**

**SECTION 4100 TITLE AND PURPOSE.** The provisions of Section 4100 through Section 4149 inclusive shall be known as the C-10 Convenience Commercial Zone Regulations. The C-10 Zone is intended to provide and enhance areas of small-scale retail establishments serving frequently recurring needs in convenient locations, and is typically appropriate to small shopping clusters ranging from four to six acres in size.

**SECTION 4110 PERMITTED ACTIVITIES.** The following activities, as described in the Use Classification at Section 2200, are permitted:

- (a) **Civic Activities:** Essential Service, Community Assembly, Non-Assembly Cultural
- (b) **Commercial Activities:** Food Sales and Service, Convenience Sales and Service, General Retail Sales, General Personal Service, Consultative and Financial Service

**SECTION 4111 CONDITIONALLY PERMITTED ACTIVITIES.** The following activities, as described in the Use Classifications at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150:

- (a) **Civic Activities:** Administrative, Health Care, Utility and Vehicular, Extensive Impact, Community Education
- (b) **Commercial Activities:** Consumer Laundry and Repair Service, Group Assembly, Automotive Servicing, Automotive Fee Parking
- (c) **Agricultural and Extractive Activities:** Plant Nursery
- (d) **Off-street parking serving activities other than those listed within this Section or in Section 4110,** subject to the conditions for such circumstances set forth in Section 7009.
- (e) **Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof,** subject to the conditions for such circumstances set forth in Section 7010.

**SECTION 4112 PERMITTED FACILITIES.** The following facilities, as described in the Use Classifications at Section 2200, are permitted:

- (a) Nonresidential Facilities: Enclosed

**SECTION 4113 CONDITIONALLY PERMITTED FACILITIES.** The following facilities, as described in the Use Classifications at Section 2200, may be permitted upon the granting of a conditional use permit, pursuant to the Conditional Use Permit Procedure at Section 8150:

- (a) Nonresidential Facilities: Open, Drive-in

**SECTION 4114 RESTRICTIONS ON PARKING AND LOADING WITHIN 25 FEET OF FRONT LOT LINE.** Off-street parking and loading activities and areas shall not be located within 25 feet from the front lot line of the lot on which they are located, except upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150.

**SECTION 4115 MAXIMUM SIZE OF COMMERCIAL ESTABLISHMENTS.** The maximum floor area devoted to Commercial Activities by any single establishment shall be 5,000 square feet.

**SECTION 4120 MINIMUM LOT AREA, WIDTH, AND FRONTAGE.**

- (a) In C-10 Zones Where Commercial Uses are Established. In any C-10 Zone, each lot shall have a minimum street frontage of 40 feet. No minimum lot area nor width is prescribed for new development within the C-10 Zone when both of the following conditions are met:
  - 1. Commercial use within the C-10 Zone commenced prior to the date of adoption of these Zoning regulations.
  - 2. The lot of the proposed commercial use is less than four acres in size and directly abuts the lot of an existing commercial use.
- (b) In C-10 Zones Where Commercial Uses Are Not Established. In any C-10 Zone where commercial uses were not established prior to the date of adoption of these Zoning Regulations, each lot shall have a minimum street frontage of 40 feet and a minimum lot area of four acres. No minimum lot width is prescribed.

**SECTION 4125 MAXIMUM HEIGHT.** Except as a greater height is allowed by Section 7100, the maximum height of buildings and other facilities shall be three stories and not exceeding 35 feet. See Section 7160 for maximum height of facilities within required yards.

**SECTION 4126 REQUIRED SETBACK AND YARDS.** No yards are generally required except as indicated below. The following minimum yards shall be provided unobstructed except for accessory structures or other facilities allowed therein by Section 7160.

- (a) **Setback From Street.** On every lot, the following minimum setback shall be provided from each street abutting the lot:
  - 1. If the right-of-way width of the abutting street is 100 feet or more, then the required setback shall be 20 feet. See also Section 4127.
  - 2. If the right-of-way width of the abutting street is less than 100 feet, then the required setback shall be 10 feet. See also Section 4127.
- (b) **Front Yard.** A front yard shall be provided, as prescribed in Section 7153 in certain situations where part of the frontage on the same side of a block is in a residential zone.
- (c) **Side Yard – Street Side of Corner Lot.** A side yard shall be provided, as prescribed in Section 7156 on the street side of a corner lot in certain situations where a lot to the rear of the corner is in a residential zone.
- (d) **Side Yard – Interior Lot Line.** A side yard shall be provided, as prescribed in Section 7152 along an interior side lot line lying along a boundary of any of certain other zones.
- (e) **Rear Yard.** A rear yard shall be provided, as prescribed in Section 7152 along a boundary of any of certain other zones.

**SECTION 4127 LANDSCAPED SETBACK, FRONT YARD, AND SIDE YARD ON STREET SIDE OF CORNER LOT.** All setbacks from the street, in addition to front yards and sideyards on the street side of a corner lot required by Sections 4126 (a), 7152, and 7156, shall, except for necessary driveways and walkways, be developed as open landscaped areas with lawn, ground cover, shrubs, trees,



or decorative paving materials, subject to the Landscaping, Buffering, and Screening Regulations at Section 7300.

#### SECTION 4129 SPECIAL REVIEW FOR CERTAIN DEVELOPMENTS.

- (a) Design Review. All uses within the C-10 Zone subject to Section 4120 (a) shall submit plans for proposed development pursuant to the Design Review Regulations at Section 7450.
- (b) Planned Development. All uses within the C-10 Zone subject to Section 4120 (b) or in any case if development is proposed for four acres or more, shall submit plans for proposed development pursuant to the Planned Unit Development Procedures at Section 8250.

SECTION 4130 OTHER ZONING PROVISIONS. All uses shall be subject to the applicable provisions of PART 7 REGULATIONS APPLYING IN ALL OR SEVERAL ZONES.

## **C-20 (C-O) OFFICE COMMERCIAL ZONE REGULATIONS**

**SECTION 4200 TITLE AND PURPOSE.** The provisions of Section 4200 through Section 4249 inclusive shall be known as the C-20 Office Commercial Zone Regulations. The C-20 Zone is intended to create and enhance areas containing a mixture of certain low intensity professional and administrative offices and related used in locations convenient to residential areas. The C-20 Zone is typically located along thoroughfares.

**SECTION 4210 PERMITTED ACTIVITIES.** The following activities, as described in the Use Classification at Section 2200, are permitted:

- (a) **Civic Activities:** Essential Services, Community Assembly, Non-Assembly Cultural, Administrative
- (b) **Commercial Activities:** Medical Service, Consultative and Financial Service, Business and Communication Service, Administrative

**SECTION 4211 CONDITIONALLY PERMITTED ACTIVITIES.** The following activities, as described in the Use Classification at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150:

- (a) **Civic Activities:** Health Care, Utility and Vehicular, Extensive Impact
- (b) **Commercial Activities:** Food Sales and Service, Convenience Sales and Service, General Personal Service, Automotive Fee Parking
- (c) **Off-street parking serving activities other than those listed within this Section or in Section 4210, subject to the conditions for such circumstances set forth in Section 7009.**
- (d) **Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions for such circumstances set forth in Section 7010.**

**SECTION 4212 PERMITTED FACILITIES.** The following facilities, as described in the Use Classification at Section 2200, are permitted:

- (a) Nonresidential Facilities: Enclosed

**SECTION 4213 CONDITIONALLY PERMITTED FACILITIES.** The following facilities, as described in the Use Classifications at Section 2200, may be permitted upon the granting of a conditional use permit, pursuant to the Conditional Use Permit Procedure at Section 8150:

- (a) Nonresidential Facilities: Open, Drive-In

**SECTION 4214 RESTRICTIONS ON PARKING AND LOADING WITHIN 25 FEET OF FRONT LOT LINE.** Off-street parking and loading activities and areas shall not be located within 25 feet from the front lot line of the lot on which they are located, except upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150.

**SECTION 4215 SPECIAL REGULATIONS APPLYING TO CERTAIN COMMERCIAL ACTIVITIES.** All Food Sales and Service, Convenience Sales and Service, and General Personal Service Commercial Activities shall, except for accessory off-street parking and loading and maintenance of accessory landscaping and screening, be conducted entirely within enclosed buildings which are partially occupied by other permitted activities, with customer access only through the lobby of such a building. The maximum floor area devoted to such activities by any single establishment shall be 3,000 square feet.

**SECTION 4220 MINIMUM LOT AREA, WIDTH, AND FRONTAGE.**

- (a) In C-20 Zones Where Commercial Uses are Established. In any C-20 Zone, each lot shall have a minimum street frontage of 40 feet. No minimum lot area nor width is prescribed for new development within the C-20 Zone when both of the following conditions are met:
  - 1. Commercial use within the C-20 Zone commenced prior to the date of adoption of these Zoning Regulations.
  - 2. The lot of the proposed commercial use is less than four acres in size and directly abuts the lot of an existing commercial use.

- (b) In C-20 Zones Where Commercial Uses Are Not Established. In any C-20 Zone where commercial uses were not established prior to the date of adoption of these Zoning Regulations, each lot shall have a minimum street frontage of 40 feet and a minimum lot area of four acres. No minimum lot width is prescribed.

**SECTION 4225 MAXIMUM HEIGHT.** Except as a greater height is allowed by Section 7100, the maximum height of buildings and other facilities shall be three stories and not exceeding 35 feet. See Section 7160 for maximum height of facilities within required yards.

**SECTION 4226 REQUIRED SETBACK AND YARDS.** No yards are generally required except as indicated below. The following minimum yards shall be provided unobstructed except for accessory structures or the other facilities allowed therein by Section 7160.

- (a) Setback From Street. On every lot, the following minimum setback shall be provided from each street abutting the lot:
  - 1. If the right-of-way width of the abutting street is 100 feet or more, then the required setback shall be 20 feet. See also Section 4227.
  - 2. If the right-of-way width of the abutting street is less than 100 feet, then the required setback shall be 10 feet. See also Section 4227.
- (b) Front Yard. A front yard shall be provided, as prescribed in Section 7153 in certain situations where part of the frontage on the same side of a block is in a residential zone.
- (c) Side Yard - Street Side of Corner Lot. A side yard shall be provided, as prescribed in Section 7156 on the street side of a corner lot in certain situations where a lot to the rear of the corner is in a residential zone.
- (d) Side Yard - Interior Lot Line. A side yard shall be provided, as prescribed in Section 7152 along an interior side lot line lying along a boundary of any of certain other zones.
- (e) Rear Yard. A rear yard shall be provided, as prescribed in Section 7152 along a boundary of any of certain other zones.



SECTION 4227 LANDSCAPED SETBACK, FRONT YARD, AND SIDE YARD ON STREET SIDE OF CORNER LOT. All setbacks from the street, in addition to front yards and sideyards on the street side of a corner lot required by Sections 4226(a), 7152, and 7156, shall, except for necessary driveways and walkways, be developed as open landscaped areas with lawn, ground cover, shrubs, trees, or decorative paving materials, subject to the Landscaping, Buffering, and Screening Regulations at Section 7300.

#### SECTION 4229 SPECIAL REVIEW FOR CERTAIN DEVELOPMENTS

- (a) Design Review. All uses within the C-20 Zone subject to Section 4220 (a) shall submit plans for proposed development pursuant to the Design Review Regulations at Section 7450.
- (b) Planned Development. All uses within the C-20 Zone subject to Section 4220 (b), or in any case if development is proposed for four acres or more, shall submit plans for proposed development pursuant to the Planned Unit Development Procedures at Section 8250.

SECTION 4230 OTHER ZONING PROVISIONS. All uses shall be subject to the applicable provisions of PART 7 REGULATIONS APPLYING IN ALL OR SEVERAL ZONES.

## **C-30 (C-F) FREEWAY COMMERCIAL ZONE REGULATIONS**

**SECTION 4300 TITLE AND PURPOSE.** The provisions of Section 4300 through Section 4349 inclusive shall be known as the C-30 Freeway Commercial Zone Regulations. The C-30 Zone is intended to create and enhance retail commercial facilities catering principally to the needs of an automobile-oriented trade.

**SECTION 4310 PERMITTED ACTIVITIES.** The following activities, as described in the Use Classifications at Section 2200, are permitted:

- (a) Civic Activities: Essential Service, Community Assembly, Non-Assembly Cultural, Administrative, Utility and Vehicular
- (b) Commercial Activities: Food Sales and Service, Convenience Sales and Service, Medical Service, General Personal Service, General Retail Sales, Consultative and Financial Service, Consumer Laundry and Repair Service, Group Assembly, Administrative, Business and Communication Service, Retail Business Supply, Automotive Servicing, Automotive Fee Parking, Transient Habitation

**SECTION 4311 CONDITIONALLY PERMITTED ACTIVITIES.** The following activities, as described in the Use Classification at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150:

- (a) Civic Activities: Extensive Impact
- (b) Commercial Activities: Automotive Repair and Cleaning, Automotive Sales, Rental, and Delivery, Animal Care
- (c) Agricultural and Extractive Activities: Plant Nursery
- (d) Off-street parking serving activities other than those listed within this Section or in Section 4310, subject to the conditions for such circumstances set forth in Section 7009.
- (e) Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions for such circumstances set forth in Section 7010.

SECTION 4312 PERMITTED FACILITIES. The following facilities, as described in the Use Classifications at Section 2200, are permitted:

- (a) Nonresidential Facilities: Enclosed, Drive In

SECTION 4313 CONDITIONALLY PERMITTED FACILITIES. The following facilities, as described in the Use Classifications at Section 2200, may be permitted upon the granting of a conditional use permit, pursuant to the Conditional Use Permit Procedure at Section 8150:

- (a) Nonresidential Facilities: Open

SECTION 4314 RESTRICTIONS ON PARKING AND LOADING WITHIN 25 FEET OF FRONT LOT LINE. Off-street parking and loading activities and areas shall not be located within 25 feet from the front lot line of the lot on which they are located, except upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150.

SECTION 4315 SPECIAL REGULATIONS APPLYING TO AUTOMOTIVE SERVICING COMMERCIAL ACTIVITIES. Automotive Servicing Commercial Activities shall not involve open storage of goods or materials. All repair and lubrication performed by such activities shall take place in an enclosed building. See Automotive Servicing Regulations at Section 7700.

SECTION 4320 MINIMUM LOT AREA, WIDTH, AND FRONTAGE.

- (a) In C-30 Zones Where Commercial Uses are Established. In any C-30 Zone, each lot shall have a minimum street frontage of 40 feet. No minimum lot area nor width is prescribed for new development within the C-30 Zone when both of the following conditions are met:
  - 1. Commercial use within the C-30 Zone commenced prior to the date of adoption of these Zoning Regulations.
  - 2. The lot of the proposed commercial use is less than four acres in size and directly abuts the lot of an existing commercial use.
- (b) In C-30 Zones Where Commercial Uses Are Not Established. In any C-30 Zone where commercial uses were not established prior to the date of adoption of these Zoning Regulations, each lot shall have a minimum street frontage of 40 feet and a minimum lot area of four acres. No minimum lot width is prescribed.



**SECTION 4325 MAXIMUM HEIGHT.** Except as a greater height is allowed by Section 7100, the maximum height of buildings and other facilities shall be three stories and not exceeding 35 feet. See Section 7160 for maximum height of facilities within required yards.

**SECTION 4326 REQUIRED SETBACK AND YARDS.** No yards are generally required except as indicated below. The following minimum yards shall be provided unobstructed except for accessory structures or other facilities allowed therein by Section 7160.

- (a) **Setback From Street.** On every lot, the following minimum setback shall be provided from each street abutting the lot:
  - 1. If the right-of-way width of the abutting street is 100 feet or more, then the required setback shall be 20 feet. See also Section 4327.
  - 2. If the right-of-way width of the abutting street is less than 100 feet, then the required setback shall be 10 feet. See also Section 4327.
- (b) **Front Yard.** A front yard shall be provided, as prescribed in Section 7153 in certain situations where part of the frontage on the same side of a block is in a residential zone.
- (c) **Side Yard – Street Side of Corner Lot.** A side yard shall be provided, as prescribed in Section 7156 on the street side of a corner lot in certain situations where a lot to the rear of the corner is in a residential zone.
- (d) **Side Yard – Interior Lot Line.** A side yard shall be provided, as prescribed in Section 7152 along an interior side lot line lying along a boundary of any of certain other zones.
- (e) **Rear Yard.** A rear yard shall be provided, as prescribed in Section 7152 along a boundary of any of certain other zones.

**SECTION 4327 LANDSCAPED SETBACK, FRONT YARD, AND SIDE YARD ON STREET SIDE OF CORNER LOT.** All setbacks from the street, in addition to front yards and sideyards on the street side of a corner lot required by Section 4326 (a), 7152, and 7156, shall, except for necessary driveways and walkways, be developed as open landscaped areas with lawn, ground cover, shrubs, trees, or decorative paving materials, subject to the Landscaping, Buffering, and Screening Regulations at Section 7300.



## SECTION 4329 SPECIAL REVIEW FOR CERTAIN DEVELOPMENTS.

- (a) Design Review. All uses within the C-30 Zone subject to Section 4320 (a) shall submit plans for proposed development pursuant to the Design Review Regulations at Section 7450.
- (b) Planned Development. All uses within the C-30 Zone subject to Section 4320 (b) or in any case, if development is proposed for four acres or more, shall submit plans for proposed development pursuant to the Planned Unit Development Procedures at Section 8250.

## SECTION 4330 OTHER ZONING PROVISIONS. All uses shall be subject to the applicable provisions of PART 7 REGULATIONS APPLYING IN ALL OR SEVERAL ZONES.

## **C-40 (C-D) DISTRICT COMMERCIAL ZONE REGULATIONS**

**SECTION 4400 TITLE AND PURPOSE.** The provisions of Section 4200 through Section 4249 inclusive shall be known as the C-40 District Commercial Zone Regulation. The C-40 Zone is intended to create and enhance areas where a wide range of retail goods and services may be provided for both short and long term needs, and which may have pedestrian and/or automobile orientation.

**SECTION 4410 PERMITTED ACTIVITIES.** The following activities, as described in the Use Classifications at Section 2200, are permitted:

- (a) **Civic Activities:** Essential Service, Limited Child Care, Nursing Home, Community Education, Community Assembly, Non-Assembly Cultural, Administrative, Health Care, Utility and Vehicular
- (b) **Commercial Activities:** Food Sales and Service, Convenience Sales and Service, Medical Service, General Retail Sales, General Personal Service, Group Assembly, Administrative, Business and Communication Service, Retail Business Supply, Research Service, Automotive Servicing, Automotive Repair and Cleaning, Automotive Fee Parking
- (c) **Manufacturing Activities:** Custom

**SECTION 4411 CONDITIONALLY PERMITTED ACTIVITIES.** The following activities, as described in the Use Classifications at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150:

- (a) **Civic Activities:** Extensive Impact
- (b) **Commercial Activities:** Construction Sales and Service, Transient Habitation, Automotive Sales, Rental, and Delivery, Animal Care, Undertaking Service
- (c) **Agricultural and Extractive Activities:** Plant Nursery
- (d) **Off-street parking serving activities other than those listed within this Section or in Section 4410,** subject to the conditions for such circumstances set forth in Section 7009.

- (e) Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions for such circumstances set forth in Section 7010.

SECTION 4412 PERMITTED FACILITIES. The following facilities, as described in the Use Classifications at Section 2200, are permitted:

- (a) Nonresidential Facilities: Enclosed

SECTION 4413 CONDITIONALLY PERMITTED FACILITIES. The following facilities, as described in the Use Classifications at Section 2200, may be permitted upon the granting of a conditional use permit, pursuant to the Conditional Use Permit Procedure at Section 8150:

- (a) Nonresidential Facilities: Open, Drive-In

SECTION 4414 RESTRICTIONS ON PARKING AND LOADING WITHIN 25 FEET OF FRONT LOT LINE. Off-street parking and loading activities and areas shall not be located within 25 feet from the front lot line of the lot on which they are located, except upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150.

SECTION 4415 SPECIAL REGULATIONS APPLYING TO AUTOMOTIVE SERVICING COMMERCIAL ACTIVITIES. Automotive Servicing Commercial Activities shall not involve open storage of goods or materials. All repair and lubrication performed by such activities shall take place in an enclosed building. See Automotive Servicing Standards at Section 7700.

SECTION 4420 MINIMUM LOT AREA, WIDTH, AND FRONTAGE.

- (a) In C-40 Zones Where Commercial Uses are Established. In any C-40 Zone, each lot shall have a minimum street frontage of 40 feet. No minimum lot area nor width is prescribed for new development within the C-40 Zone when both of the following conditions are met:
  - 1. Commercial use within the C-40 Zone commenced prior to the date of adoption of these Zoning Regulations.

2. The lot of the proposed commercial use is less than four acres in size and directly abuts the lot of an existing commercial use.
- (b) In C-40 Zones Where Commercial Uses Are Not Established. In any C-40 Zone where commercial uses were not established prior to the date of adoption of these Zoning Regulations, each lot shall have a minimum street frontage of 40 feet and a minimum lot area of four acres. No minimum lot width is prescribed.

**SECTION 4425 MAXIMUM HEIGHT.** Except as a greater height is allowed by Section 7100, the maximum height of buildings and other facilities shall be four stories and not exceeding 45 feet. See Section 7160 for maximum height of facilities within required yards.

**SECTION 4426 REQUIRED SETBACK AND YARDS.** No yards are generally required except as indicated below. The following minimum yards shall be provided unobstructed except for accessory structures or the other facilities allowed therein by Section 7160.

- (a) **Setback From Street.** On every lot, the following minimum setback shall be provided from each street abutting the lot:
  1. If the right-of-way width of the abutting street is 100 feet or more, then the required setback shall be 20 feet. See also Section 4427.
  2. If the right-of-way width of the abutting street is less than 100 feet, then the required setback shall be 10 feet. See also Section 4427.
- (b) **Front Yard.** A front yard shall be provided, as prescribed in Section 7153 in certain situations where part of the frontage on the same side of a block is in a residential zone.
- (c) **Side Yard – Street Side of Corner Lot.** A side yard shall be provided, as prescribed in Section 7156 on the street side of a corner lot in certain situations where a lot to the rear of the corner is in a residential zone.
- (d) **Side Yard – Interior Lot Line.** A side yard shall be provided, as prescribed in Section 7152 along an interior side lot line lying along a boundary of any of certain other zones.



- (e) Rear Yard. A rear yard shall be provided, as prescribed in Section 7152 along a boundary of any of certain other zones.

SECTION 4427 LANDSCAPED SETBACK, FRONT YARD, AND SIDE YARD ON STREET SIDE OF CORNER LOT. All setbacks from the street, in addition to front yards and sideyards on the street side of a corner lot required by Sections 4426 (a), 7152, and 7156, shall, except for necessary driveways and walkways, be developed as open landscaped areas with lawn, ground cover, shrubs, trees, or decorative paving materials, subject to the Landscaping, Buffering, and Screening Regulations at Section 7300.

#### SECTION 4429 SPECIAL REVIEW FOR CERTAIN DEVELOPMENTS.

- (a) Design Review. All uses within the C-40 Zone subject to Section 4420 (a) shall submit plans for proposed development pursuant to the Design Review Regulations at Section 7450.
- (b) Planned Development. All uses within the C-40 Zone subject to Section 4420 (b) or, in any case, if development is proposed for four acres or more, shall submit plans for proposed development pursuant to the Planned Unit Development Procedures at Section 8250.

SECTION 4430 OTHER ZONING PROVISIONS. All uses shall be subject to the applicable provisions of PART 7 REGULATIONS APPLYING IN ALL OR SEVERAL ZONES.

## **C-50 (C-R) REGIONAL COMMERCIAL ZONE REGULATIONS**

**SECTION 4500 TITLE AND PURPOSE.** The provisions of Section 4500 through Section 4549 inclusive shall be known as the C-50 Regional Commercial Zone Regulations. The C-50 Zone is intended to create and enhance a major center of employment, shopping, and recreation within the same structure or group of structures, and is further intended to provide an opportunity to mix predominantly commercial uses with institutional and residential uses.

**SECTION 4510 PERMITTED ACTIVITIES.** The following activities, as described in the Use Classifications at Section 2200, are permitted:

- (a) **Civic Activities:** Essential Service, Non-Assembly Cultural, Administrative, Utility and Vehicular
- (b) **Commercial Activities:** Food Sales and Service, Convenience Sales and Service, Medical Service, General Retail Sales, General Personal Service, Consumer Laundry and Repair Service, Group Assembly, Administrative, Automotive Servicing, Automotive Fee Parking
- (c) **Manufacturing Activities:** Custom

**SECTION 4511 CONDITIONALLY PERMITTED ACTIVITIES.** The following activities, as described in the Use Classifications at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150:

- (a) **Residential Activities:** Permanent
- (b) **Civic Activities:** Extensive Impact
- (c) **Commercial Activities:** Animal Care, Consultative and Financial Services, Business and Communication Service, Retail Business Supply, Transient Habitation
- (d) **Agricultural and Extractive Activities:** Plant Nursery
- (e) **Off-street parking serving activities other than those listed within this Section or in Section 4510, subject to the conditions for such circumstances set forth in Section 7009.**

- (f) Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions for such circumstances set forth in Section 7010.

SECTION 4512 PERMITTED FACILITIES. The following facilities, as described in the Use Classifications at Section 2200, are permitted:

- (a) Nonresidential Facilities: Enclosed

SECTION 4513 CONDITIONALLY PERMITTED FACILITIES. The following facilities, as described in the Use Classifications at Section 2200, may be permitted upon the granting of a conditional use permit, pursuant to the Conditional Use Permit Procedure at Section 8150:

- (a) Residential Facilities: Two-Family Dwelling, Multi-Family Dwelling
- (b) Nonresidential Facilities: Open, Drive-In

SECTION 4514 RESTRICTIONS ON PARKING AND LOADING WITHIN 25 FEET OF FRONT LOT LINE. Off-street parking and loading activities and areas shall not be located within 25 feet from the front lot line of the lot on which they are located, except upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150.

SECTION 4515 SPECIAL REGULATIONS APPLYING TO AUTOMOTIVE SERVICING COMMERCIAL ACTIVITIES. Automotive Servicing Commercial Activities shall not involve open storage of goods or materials. All repair and lubrication performed by such activities shall take place in an enclosed building. See Automotive Servicing Regulations at Section 7700.

SECTION 4520 MINIMUM LOT AREA, WIDTH, AND FRONTAGE.

- (a) In C-50 Zones Where Commercial Uses are Established. In any C-50 Zone, each lot shall have a minimum street frontage of 40 feet. No minimum lot area nor width is prescribed for new development within the C-50 Zone when both of the following conditions are met:
  - 1. Commercial use within the C-50 Zone commenced prior to the date of adoption of these Zoning Regulations.



2. The lot of the proposed commercial use is less than four acres in size and directly abuts the lot of an existing commercial use.
- (b) In C-50 Zones Where Commercial Uses Are Not Established. In any C-50 Zone where commercial uses were not established prior to the date of adoption of these Zoning Regulations, each lot shall have a minimum street frontage of 40 feet and a minimum lot area of four acres. No minimum lot width is prescribed.

**SECTION 4525 MAXIMUM HEIGHT.** Except as a greater height is allowed by Section 7100, the maximum height of buildings and other facilities shall be six stories and not exceeding 60 feet. See Section 7160 for maximum height of facilities within required yards.

**SECTION 4526 REQUIRED SETBACK AND YARDS.** No yards are generally required except as indicated below. The following minimum yards shall be provided unobstructed except for accessory structures or the other facilities allowed therein by Section 7160.

- (a) **Setback From Street.** On every lot, the following minimum setback shall be provided from each street abutting the lot:
1. If the right-of-way width of the abutting street is 100 feet or more, then the required setback shall be 20 feet. See also Section 4527.
  2. If the right-of-way width of the abutting street is less than 100 feet, then the required setback shall be 10 feet. See also Section 4527.
- (b) **Front Yard.** A front yard shall be provided, as prescribed in Section 7153 in certain situations where part of the frontage on the same side of a block is in a residential zone.
- (c) **Side Yard – Street Side of Corner Lot.** A side yard shall be provided, as prescribed in Section 7156 on the street side of a corner lot in certain situations where a lot to the rear of the corner is in a residential zone.
- (d) **Side Yard – Interior Lot Line.** A side yard shall be provided, as prescribed in Section 7152 along an interior side lot line lying along a boundary of any of certain other zones.



- (e) Rear Yard. A rear yard shall be provided, as prescribed in Section 7152 along a boundary of any of certain other zones.

SECTION 4527 LANDSCAPED SETBACK, FRONT YARD, AND SIDE YARD ON STREET SIDE OF CORNER LOT. All setbacks from the street, in addition to front yards and sideyards on the street side of a corner lot required by Sections 4526 (a), 7152, and 7156, shall, except for necessary driveways and walkways, be developed as open landscaped areas with lawn, ground cover, shrubs, trees, or decorative paving materials, subject to the Landscaping, Buffering, and Screening Regulations at Section 7300.

#### SECTION 4529 SPECIAL REVIEW FOR CERTAIN DEVELOPMENTS.

- (a) Design Review. All uses within the C-50 Zone subject to Section 4520 (a) shall submit plans for proposed development pursuant to the Design Review Regulations at Section 7450.
- (b) Planned Development. All uses within the C-50 Zone subject to Section 4520 (b), or, in any case, if development is proposed for four acres or more, shall submit plans for proposed development pursuant to the Planned Unit Development Procedures at Section 8250.

SECTION 4530 OTHER ZONING PROVISIONS. All uses shall be subject to the applicable provisions of PART 7 REGULATIONS APPLYING IN ALL OR SEVERAL ZONES.

## **C-60 (C-S) SERVICE COMMERCIAL ZONE REGULATIONS**

**SECTION 4600 TITLE AND PURPOSE.** The provisions of Section 4600 through Section 4649 inclusive shall be known as the C-60 Service Commercial Zone Regulations. The C-60 Zone is intended to create and preserve areas with a variety of commercial services which are frequently incompatible with the operations of retail shopping or office areas and which frequently locate near industrial concentrations.

**SECTION 4610 PERMITTED ACTIVITIES.** The following activities, as described in the Use Classification at Section 2200, are permitted:

- (a) Civic Activities: Essential Service, Non-Assembly Cultural, Utility and Vehicular
- (b) Commercial Activities: Food Sales and Service, Convenience Sales and Service, Consumer Laundry and Repair Service, Business and Communication Service, Retail Business Supply, Research Service, General Wholesale Sales, Construction Sales and Service, Automotive Sales, Rental, and Delivery, Automotive Servicing, Automotive Repair and Cleaning, Automotive Fee Parking, Transport and Warehousing
- (c) Manufacturing Activities: Custom, Light
- (d) Off-street parking serving activities other than those listed within this Section, subject to the conditions set forth in Section 7009.

**SECTION 4611 CONDITIONALLY PERMITTED ACTIVITIES.** The following activities, as described in the Use Classifications at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150.

- (a) Civic Activities: Community Assembly, Extensive Impact
- (b) Commercial Activities: Animal Care, Undertaking Service
- (c) Agricultural and Extractive Activities: Plant Nursery
- (d) Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions for such circumstances set forth in Section 7010.

SECTION 4612 PERMITTED FACILITIES. The following facilities, as described in the Use Classifications at Section 2200 are permitted:

- (a) Nonresidential Facilities: Enclosed, Open, Drive-In

SECTION 4615 SPECIAL REGULATIONS APPLYING TO AUTOMOTIVE SERVICING COMMERCIAL ACTIVITIES. Automotive Servicing Commercial Activities shall not involve open storage of goods or materials. All repair and lubrication performed by such activities shall take place in an enclosed building. See Automotive Servicing Regulations at Section 7700.

SECTION 4616 MAXIMUM SIZE OF CERTAIN COMMERCIAL ESTABLISHMENTS. The maximum floor area devoted to Food Sales and Service or Convenience Sales and Service Commercial Activities by any single establishment shall be 3,000 square feet.

SECTION 4617 MAXIMUM SIZE OF CERTAIN INDUSTRIAL ESTABLISHMENTS. The maximum floor area devoted to Light Manufacturing Activities by any single establishment shall be 5,000 square feet.

SECTION 4620 MINIMUM LOT AREA, WIDTH, AND FRONTAGE.

- (a) In C-60 Zones Where Commercial Uses are Established. In any C-60 Zone, each lot shall have a minimum street frontage of 40 feet. No minimum lot area nor width is prescribed for new development within the C-60 Zone when both of the following conditions are met:
  - 1. Commercial use within the C-60 Zone commenced prior to the date of adoption of these Zoning Regulations.
  - 2. The lot of the proposed commercial use is less than four acres in size and directly abuts the lot of an existing commercial use.
- (b) In C-60 Zones Where Commercial Uses Are Not Established. In any C-60 Zone where commercial uses were not established prior to the date of adoption of these Zoning Regulations, each lot shall have a minimum street frontage of 40 feet and a minimum lot area of four acres. No minimum lot width is prescribed.



**SECTION 4625 MAXIMUM HEIGHT.** Except as a greater height is allowed by Section 7100, the maximum height of buildings and other facilities shall be three stories and not exceeding 35 feet. See Section 7160 for maximum height of facilities within minimum yards.

**SECTION 4626 REQUIRED SETBACK AND YARDS.** No yards are generally required except as indicated below. The following minimum yards shall be provided unobstructed except for accessory structures or the other facilities allowed therein by Section 7160.

- (a) **Setback From Street.** On every lot, the following minimum setback shall be provided from each street abutting the lot:
  - 1. If the right-of-way width of the abutting street is 100 feet or more, then the required setback shall be 20 feet. See also Section 4627.
  - 2. If the right-of-way width of the abutting street is less than 100 feet, then the required setback shall be 10 feet. See also Section 4627.
- (b) **Front Yard.** A front yard shall be provided, as prescribed in Section 7153 in certain situations where part of the frontage on the same side of a block is in a residential zone.
- (c) **Side Yard - Street Side of Corner Lot.** A side yard shall be provided, as prescribed in Section 7156, on the street side of a corner lot in certain situations where a lot to the rear of the corner lot is in a residential zone.
- (d) **Side Yard - Interior Lot Line.** A side yard shall be provided, as prescribed in Section 7152 along an interior side lot line lying along a boundary of any of certain other zones.
- (e) **Rear Yard.** A rear yard shall be provided, as prescribed in Section 7152 along a boundary of any of certain other zones.

**SECTION 4627 LANDSCAPED SETBACK, FRONT YARD, AND SIDE YARD ON STREET SIDE OF CORNER LOT.** All setbacks from the street, in addition to front yards and sideyards on the street side of a corner lot required by Sections 4626 (a), 7152, and 7156, shall, except for necessary driveways and walkways, be developed as open landscaped areas with lawn, ground cover, shrubs, trees, or decorative pav-



ing materials, subject to the Landscaping, Buffering, and Screening Regulations at Section 7300.

#### SECTION 4629 SPECIAL REVIEW FOR CERTAIN DEVELOPMENTS.

- (a) Design Review. All uses within the C-60 Zone subject to Section 4620 (a) shall submit plans for proposed developments pursuant to the Design Review Regulations at Section 7450.
- (b) Planned Development. All uses within the C-60 Zone subject to section 4620 (b) of, in any case, if development is proposed for four acres or more, shall submit plans for proposed development pursuant to the Planned Unit Development Procedures at Section 8250.

SECTION 4630 OTHER ZONING PROVISIONS. All uses shall be subject to the applicable provisions of PART 7 REGULATIONS APPLYING IN ALL OR SEVERAL ZONES.

## **PART 5: REGULATIONS APPLYING IN INDIVIDUAL INDUSTRIAL ZONES**

**SECTION 5000 GENERAL INTENT OF THE INDUSTRIAL ZONE REGULATIONS.** The provisions of Section 5000 through Section 5999 inclusive shall be known as the Simi Valley Industrial Zone Regulations. These regulations are intended to encourage and enhance industrial development within the City of Simi Valley in accordance with policies and principles established by the Simi Valley General Plan. It is intended that industrial uses be located on the basis of impact, so that uses with negligible impact may locate individually or be grouped in small centers near residential or commercial uses and industrial uses with more perceptible impacts may be located in larger industrial parks.

## **I-10 (I-S) SPECIAL INDUSTRIAL ZONE REGULATIONS**

**SECTION 5100 TITLE AND PURPOSE.** The provisions of Section 5100 through Section 5149 inclusive shall be known as the I-10 Special Industrial Zone Regulations. The I-10 Zone is intended to create and enhance low intensity industrial uses in areas near residential and commercial zones, and is appropriate for uses that can be adequately housed in completely enclosed buildings and adhere to stringent performance standards.

**SECTION 5110 PERMITTED ACTIVITIES.** The following activities, as described in the Use Classifications at Section 2200, are permitted:

- (a) Civic Activities: Essential Service, Non-Assembly Cultural
- (b) Commercial: Food Sales and Service, Convenience Sales and Service, Administrative, Business and Communication Service, Research Service, General Wholesale Sales, Automotive Fee Parking
- (c) Manufacturing: Custom, Light
- (d) Off-street parking serving activities other than those listed within this Section, subject to the conditions for such circumstances set forth in Section 7009.

**SECTION 5111 CONDITIONALLY PERMITTED ACTIVITIES.** The following activities, as described in the Use Classifications at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150:

- (a) Civic Activities: Community Assembly, Community Education, Utility and Vehicular, Extensive Impact
- (b) Commercial: Retail Business Supply, Automotive Servicing
- (c) Agricultural and Extractive Activities: Plant Nursery
- (d) Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions for such circumstances set forth in Section 7010.

**SECTION 5112 PERMITTED FACILITIES.** The following facilities, as described in the Use Classifications at Section 2200, are permitted:

- (a) Nonresidential Facilities: Enclosed

**SECTION 5115 MAXIMUM SIZE OF CERTAIN COMMERCIAL ESTABLISHMENTS.** The maximum floor area devoted to Food Sales and Service or Convenience Sales and Service Commercial Activities by any single establishment shall be 3,000 square feet.

**SECTION 5119 PERFORMANCE STANDARDS FOR COMMERCIAL AND MANUFACTURING ACTIVITIES.** All Commercial and Manufacturing Activities shall be subject to the applicable provisions of the Performance Standards at Section 7430.

**SECTION 5120 MINIMUM LOT AREA, WIDTH, AND FRONTAGE.**

- (a) In I-10 Zones Where Industrial Uses are Established. In any I-10 Zone, each lot shall have a minimum street frontage of 40 feet. No minimum lot area nor width is prescribed for new development within the I-10 Zone when both of the following conditions are met:
  - 1. Industrial use within the I-10 Zone commenced prior to the date of adoption of these Zoning Regulations.
  - 2. The lot of the proposed industrial use is less than four acres in size and directly abuts the lot of an existing industrial use.
- (b) In I-10 Zones Where Industrial Uses Are Not Established. In any I-10 Zone where industrial uses were not established prior to the date of adoption of these Zoning Regulations, each lot shall have a minimum street frontage of 40 feet and a minimum lot area of four acres. No minimum lot width is prescribed.

**SECTION 5125 MAXIMUM HEIGHT.** Except as a greater height is allowed by Section 7100, the maximum height of buildings and other facilities shall be three stories and not exceeding 35 feet. See Section 7160 for maximum height of facilities within required yards.



**SECTION 5126 REQUIRED SETBACK AND YARDS.** No yards are generally required except as indicated below. The following minimum yards shall be provided unobstructed except for accessory structures or the other facilities allowed therein by Section 7160.

- (a) **Setback From Street.** On every lot, the following minimum setback shall be provided from each street abutting the lot:
  - 1. If the right-of-way width of the abutting street is 100 feet or more, then the required setback shall be 20 feet. See also Section 5127.
  - 2. If the right-of-way width of the abutting street is less than 100 feet, then the required setback shall be 10 feet. See also Section 5127.
- (b) **Front Yard.** A front yard shall be provided, as prescribed in Section 7153 in certain situations where part of the frontage on the same side of a block is in a residential zone.
- (c) **Side Yard – Street Side of Corner Lot.** A side yard shall be provided, as prescribed in Section 7156 on the street side of a corner lot in certain situations where a lot to the rear of the corner is in a residential zone.
- (d) **Side Yard – Interior Lot Line.** A side yard shall be provided, as prescribed in Section 7152 along an interior side lot line lying along a boundary of any of certain other zones.
- (e) **Rear Yard.** A rear yard shall be provided, as prescribed in Section 7152 along a boundary of any of certain other zones.

**SECTION 5127 LANDSCAPED SETBACK, FRONT YARD, AND SIDE YARD ON STREET SIDE OF CORNER LOT.** All setbacks from the street, in addition to front yards and sideyards on the street side of a corner lot required by Sections 5126 (a), 7152, and 7156, shall, except for necessary driveways and walkways, be developed as open landscaped areas with lawn, ground cover, shrubs, trees, or decorative paving materials, subject to the Landscaping, Buffering, and Screening Regulations at Section 7300.

**SECTION 5129 SPECIAL REVIEW FOR CERTAIN DEVELOPMENTS.**

- (a) **Design Review.** All uses within the I-10 Zone subject to Section 5120 (a) shall submit plans for proposed development pursuant to the Design Review Regulations at Section 7450.
- (b) **Planned Development.** All uses within the I-10 Zone subject to Section 5120 (b), or, in any case, if development is proposed for four acres or more, shall submit plans for proposed development pursuant to the Planned Unit Development Procedures at Section 8250.

**SECTION 5130 OTHER ZONING PROVISIONS.** All uses shall be subject to the applicable provisions of PART 7 REGULATIONS APPLYING IN ALL OR SEVERAL ZONES.

## **I-20 (I-P) INDUSTRIAL PARK ZONE REGULATIONS**

**SECTION 5200 TITLE AND PURPOSE.** The provisions of Section 5200 through Section 5249 inclusive shall be known as the I-20 Industrial Park Zone Regulations. The I-20 Zone is intended to create and enhance an industrial area designed and equipped to accommodate a community of industries in an open and attractive setting and is appropriate for a wide range of industrial uses and related establishments which can adhere to high performance standards.

**SECTION 5210 PERMITTED ACTIVITIES.** The following activities, as described in the Use Classifications at Section 2200, are permitted:

- (a) **Civic Activities:** Essential Service, Non-Assembly Cultural
- (b) **Commercial Activities:** Food Sales and Service, Convenience Sales and Service, Business and Communication Service, Research Service, General Wholesales Sales, Automotive Fee Parking
- (c) **Manufacturing Activities:** Custom, Light

**SECTION 5211 CONDITIONALLY PERMITTED ACTIVITIES.** The following activities, as described in the Use Classifications at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150:

- (a) **Civic Activities:** Community Assembly, Community Education, Utility and Vehicular, Extensive Impact
- (b) **Commercial Activities:** Consumer Laundry and Repair Service, Retail Business Supply, Construction Sales and Service, Automotive Repair and Cleaning, Transport and Warehousing, Animal Care
- (c) **Manufacturing Activities:** General, Heavy
- (d) **Agricultural and Extractive Activities:** Plant Nursery
- (e) Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions for such circumstances set forth in Section 7010.

**SECTION 5212 PERMITTED FACILITIES.** The following facilities, as described in the Use Classifications at Section 2200, are permitted:

- (a) Nonresidential Facilities: Enclosed

**SECTION 5213 CONDITIONALLY PERMITTED FACILITIES.** The following facilities, as described in the Use Classifications at Section 2200, may be permitted upon the granting of a conditional use permit, pursuant to the Conditional Use Permit Procedure at Section 8150:

- (a) Nonresidential Facilities: Open, Drive-In

**SECTION 5215 MAXIMUM SIZE OF CERTAIN COMMERCIAL ESTABLISHMENTS.** The maximum floor area devoted to Food Sales and Service or Convenience Sales and Service Commercial Activities by any single establishment shall be 3,000 square feet.

**SECTION 5219 PERFORMANCE STANDARDS FOR COMMERCIAL AND MANUFACTURING ACTIVITIES.** All Commercial and Manufacturing Activities shall be subject to the applicable provisions of the Performance Standards at Section 7430.

**SECTION 5220 MINIMUM LOT AREA, WIDTH, AND FRONTAGE.** Every lot within the I-20 Zone shall have a minimum street frontage of 40 feet and a minimum lot area of four acres. No minimum lot width is prescribed.

**SECTION 5225 MAXIMUM HEIGHT.** Except as a greater height is allowed by Section 7100, the maximum height of buildings and other facilities shall be three stories and not exceeding 35 feet. See Section 7160 for maximum height of facilities within required yards.

**SECTION 5226 REQUIRED SETBACK AND YARDS.** No yards are generally required except as indicated below. The following minimum yards shall be provided unobstructed except for accessory structures or the other facilities allowed therein by Section 7160.

- (a) Setback From Street. Every lot within the I-20 Zone shall have a minimum setback of 25 feet from each street abutting the lot.



- (b) Front Yard. A front yard shall be provided, as prescribed in Section 7153 in certain situations where part of the frontage on the same side of a block is in a residential zone.
- (c) Side Yard – Street Side of Corner Lot. A side yard shall be provided, as prescribed in Section 7156 on the street side of a corner lot in certain situations where a lot to the rear of the corner is in a residential zone.
- (d) Side Yard – Interior Lot Line. A side yard shall be provided, as prescribed in Section 7152 along an interior side lot line lying along a boundary of any of certain other zones.
- (e) Rear Yard. A rear yard shall be provided, as prescribed in Section 7152 along a boundary of any of certain other zones.

SECTION 5227 LANDSCAPED SETBACK, FRONT YARD, AND SIDE YARD ON STREET SIDE OF CORNER LOT. All setbacks from the street, in addition to front yards and sideyards on the street side of a corner lot required by Sections 5226 (a), 7152, and 7156, shall, except for necessary driveways and walkways, be developed as open landscaped areas with lawn, ground cover, shrubs, trees, or decorative paving materials, subject to the Landscaping, Buffering, and Screening Regulations at Section 7300.

SECTION 5229 SPECIAL REVIEW FOR ALL DEVELOPMENT. All development within the I-20 Zone shall submit plans for proposed development pursuant to the Planned Unit Development Procedure at Section 8250.

SECTION 5230 OTHER ZONING PROVISIONS. All uses shall be subject to the applicable provisions of PART 7 REGULATIONS APPLYING IN ALL OR SEVERAL ZONES.

## **PART 6: REGULATIONS APPLYING IN INDIVIDUAL SPECIAL ZONES**

### **S-1 (S-A) AGRICULTURAL ZONE REGULATIONS**

**SECTION 6100 TITLE AND PURPOSE.** The provisions of Section 6100 through Section 6149 inclusive shall be known as the S-1 Agricultural Zone Regulations. The S-1 Zone is intended to create and preserve areas for agricultural or open use, some of which may ultimately be deemed appropriate for conversion to urban development. The timing of that conversion is to be based on a logical sequence of orderly development, determined in part by the availability of an appropriate level of urban service facilities such as water and sewer lines, roads, schools, and fire, police, and health services.

**SECTION 6110 PERMITTED ACTIVITIES.** The following activities, as described in the Use Classifications at Section 220, are permitted:

- (a) Residential Activities: Permanent
- (b) Civic Activities: Essential Services, Limited Child Care
- (c) Commercial Activities: Animal Care
- (d) Agricultural and Extractive Activities: Crop Raising, Animal Raising, Plant Nursery.

**SECTION 6111 CONDITIONALLY PERMITTED ACTIVITIES.** The following activities, as described in the Use Classifications at Section 2200 may be permitted upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150:

- (a) Residential Activities: Semi-Transient
- (b) Civic Activities: Community Assembly, Community Education, Non-Assembly Cultural, Administrative, Utility and Vehicular, Extensive Impact
- (c) Commercial Activities: Group Assembly
- (d) Agricultural and Extractive Activities: Mining and Quarrying
- (e) Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions for such circumstances set forth in Section 7010.

**SECTION 6112 PERMITTED FACILITIES.** The following facilities, as described in the Use Classifications at Section 2200 are permitted:

- (a) Residential Facilities: One-Family Dwelling
- (b) Nonresidential Facilities: Enclosed, Open

**SECTION 6113 CONDITIONALLY PERMITTED FACILITIES.** The following facilities, as described in the Use Classifications at Section 2200, may be permitted upon the granting of a conditional use permit, pursuant to the Conditional Use Permit Procedure at Section 8150:

- (a) Nonresidential Facilities: Drive-In

**SECTION 6120 MINIMUM LOT AREA, WIDTH, AND FRONTAGE.** Every lot within the S-1 Zone shall have a minimum lot area of 40 acres and a minimum lot width of 400 feet. Every lot shall have a minimum frontage of 40 feet upon a street, except as this requirement is modified by Section 7076.

**SECTION 6121 MAXIMUM RESIDENTIAL DENSITY.** The maximum density of Residential Facilities shall be one dwelling unit on each lot.

**SECTION 6125 MAXIMUM HEIGHT.** Except as a greater height is allowed by Section 7100, the maximum height of buildings and other facilities shall be three stories and not exceeding 35 feet. See Section 7160 for maximum height of facilities within required yards.

**SECTION 6126 REQUIRED YARDS.** The following minimum yards shall be provided unobstructed except for the accessory structures or other facilities allowed therein by Section 7160:

- (a) Front Yard: The minimum front yard depth on every lot shall be 50 feet
- (b) Side Yard, Street Side: The minimum side yard width on the street side of every corner lot shall be 50 feet
- (c) Side Yard, Interior: The minimum width of the side yard along any single interior lot shall be 50 feet
- (d) Rear Yard: The minimum rear yard depth on every lot shall be 50 feet.

**SECTION 6127 LIMITATIONS ON THE LOCATION OF STRUCTURES FOR KEEPING ANIMALS.** Limitations on the location of hives, pens, coops, barns, corrals, or other structures for housing bees, fowl, or animals shall be as follows:

- (a) Distance from any Abutting Street: No such structure shall be located within 150 feet of any abutting street line
- (b) Distance from any Interior Property Line: No such structure shall be located within 100 feet of any interior property line
- (c) Distance from Natural Water Course: No such structure shall be located within 150 feet of any natural water course.

**SECTION 6149 OTHER ZONING PROVISIONS.** All uses shall be subject to the Applicable Provisions of PART 7 REGULATIONS APPLYING IN ALL OR SEVERAL ZONES.



## **S-2 (S-C) CIVIC CENTER ZONE REGULATIONS**

**SECTION 6150 TITLE AND PURPOSE.** The provisions of Section 6150 through Section 6199 inclusive shall be known as the S-2 Civic Center Zone Regulations. The S-2 Zone is intended to create and preserve an area devoted primarily to major public and quasi-public facilities and auxiliary uses, and to encourage a concentration of such activities within a centralized location.

**SECTION 6160 PERMITTED ACTIVITIES.** The following activities, as described in the Use Classifications at Section 2200, are permitted:

- (a) Civic Activities: Essential Service, Limited Child Care, Nursing Home, Community Assembly, Community Education, Non-Assembly Cultural, Administrative
- (b) Commercial Activities: Medical Service, Consultative and Financial Service, Administrative.

**SECTION 6161 CONDITIONALLY PERMITTED ACTIVITIES.** The following activities, as described in the Use Classifications at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150:

- (a) Civic Activities: Health Care, Utility and Vehicular, Extensive Impact
- (b) Commercial Activities: Food Sales and Service, Convenience Sales and Service, General Personal Service, Consumer Laundry and Repair Service, Group Assembly, Business and Communication Service, Retail Business Supply, Research Service, Transient Habitation, Automotive Servicing, Automotive Fee Parking
- (c) Off-street parking serving activities other than those listed within this Section or in Section 6160 subject to the conditions for such circumstances set forth in Section 7009
- (d) Additional activities which are permitted or conditionally permitted near the boundary thereof, subject to the conditions for such circumstances set forth in Section 7010.

**SECTION 6162 PERMITTED FACILITIES.** The following facilities, as described in the Use Classifications at Section 2200, are permitted:

- (a) Nonresidential Facilities: Enclosed.

**SECTION 6163 CONDITIONALLY PERMITTED FACILITIES.** The following facilities, as described in the Use Classifications at Section 2200, may be permitted upon the granting of a conditional use permit, pursuant to the Conditional Use Permit Procedure at Section 8150:

- (a) Nonresidential Facilities: Open, Drive-In.

**SECTION 6164 SPECIAL REGULATIONS APPLYING TO CERTAIN COMMERCIAL ACTIVITIES.** All conditionally permitted Commercial Activities other than Automotive Fee Parking shall, except for open-air dining facilities, accessory off-street parking and loading, and maintenance of accessory landscaping and screening, be conducted entirely within enclosed buildings.

**SECTION 6165 USE PERMIT CRITERIA FOR COMMERCIAL ACTIVITIES.** A conditional use permit for any conditionally permitted Commercial Activity may be granted only upon determination that proposal conforms to the general use permit criteria set forth in the Conditional Use Permit Procedure at Section 8150 and to all of the following use permit criteria:

- (a) That the proposed activity is intended primarily to serve the civic center area in which it is located or the employees and patrons of the center.
- (b) That the proposed activity will not attract vehicular traffic which will create or aggravate traffic congestion or interfere with the movement of traffic generated by permitted activities.
- (c) That the proposed activity is accommodated or served by facilities of such size, design, and location as will tend to keep the activity subordinate in impact and function to permitted activities within the civic center area.

**SECTION 6170 MINIMUM LOT AREA, WIDTH, AND FRONTAGE.** Every lot within the S-2 Zone shall have a minimum lot area of 4,000 square feet and a minimum lot width of 40 feet. Every lot shall have a minimum frontage of 40 feet upon a street, except as this requirement is modified by Section 7076.

**SECTION 6175 MAXIMUM HEIGHT.** Except as a greater height is allowed by Section 7100, the maximum height of buildings and other facilities shall be six stories and not exceeding 60 feet. See Section 7160 for maximum height of facilities within required yards.

**SECTION 6176 REQUIRED SETBACK AND YARDS.** The following minimum yards shall be provided unobstructed except for accessory structures or the other facilities allowed therein by Section 7160:

- (a) **Setback From Street.** On every lot, the following minimum setback shall be provided from each street abutting the lot:
  - 1. If the right-of-way of the abutting street is 100 feet or more, then the required setback shall be 20 feet. See also Section 6178.
  - 2. If the right-of-way of the abutting street is less than 100 feet, then the required setback shall be 10 feet. See also Section 6178.
- (b) **Front Yard.** A front yard shall be provided, as prescribed in Section 7163 in certain situations where part of the frontage on the same side of a block is in a residential zone.
- (c) **Side Yard – Street Side of Corner Lot.** The minimum side yard width on the street side of every corner lot shall be 10 feet.
- (d) **Side Yard – Interior Lot Line.** No interior side yard is generally required except as prescribed in Section 7152 when an interior side lot line abuts the boundary of any of certain other zones.
- (e) **Rear Yard.** A rear yard shall be provided, as prescribed in Section 7152 along a boundary of any of certain other zones.

**SECTION 6178 LANDSCAPED SETBACK, FRONT YARD, AND SIDE YARD ON STREET SIDE OF CORNER LOT.** All setbacks from the street, in addition to front yards and side yards on the street side of a corner lot required by Section 6176 shall, except for necessary driveways and walkways, be developed as open landscaped areas with lawn, ground cover, shrubs, trees, or decorative paving materials, subject to the Landscaping, Buffering, and Screening Regulations at Section 7300.

**SECTION 6198 DESIGN REVIEW FOR CONSTRUCTION OR ALTERATION.** No building, sign, or other facility shall be constructed or established, or altered in such a manner as to affect exterior appearance, unless plans for such proposal have been approved pursuant to the Design Review Procedure at Section 8200.

**SECTION 6199 OTHER ZONING PROVISIONS.** All uses shall be subject to the applicable provisions of PART 7 REGULATIONS APPLYING IN ALL OR SEVERAL ZONES.



## **S-3 (S-P) PUBLIC USE ZONE REGULATIONS**

**SECTION 6200 TITLE AND PURPOSE.** The provisions of Section 6200 through Section 6249 shall be known as the S-3 Public Use Zone Regulations. The S-3 Zone is intended to designate areas where activities are strongly vested with public or social importance and would typically be applied to areas where parks, institutions, and rights-of-way are located.

**SECTION 6210 PERMITTED ACTIVITIES.** The following activities, as described in the Use Classifications at Section 2200, are permitted:

- (a) **Civic Activities:** Essential Services, Limited Child Care, Nursing Home, Community Assembly, Community Education, Non-Assembly Cultural, Administrative, Health Care, Utility and Vehicular.

**SECTION 6211 CONDITIONALLY PERMITTED ACTIVITIES.** The following activities as described in the Use Classifications at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150:

- (a) **Civic Activities:** Extensive Impact.

**SECTION 6212 PERMITTED FACILITIES.** The following facilities, as described in the Use Classifications at Section 2200, are permitted:

- (a) **Nonresidential Facilities:** Enclosed, Open, Drive-In.

**SECTION 6200 MINIMUM LOT AREA, WIDTH, AND FRONTAGE.** Every lot within the S-3 Zone shall have a minimum lot area of 4,000 square feet and minimum lot width of 40 feet. Every lot shall have a minimum frontage of 40 feet upon a street, except as this requirement is modified by Section 7076.

**SECTION 6225 MAXIMUM HEIGHT.** Except as a greater height is allowed by Section 7100, the maximum height of buildings and other facilities shall be the greatest height allowed in any abutting zone. Except as otherwise provided in Sections 7105 and 7106, no accessory building shall exceed 15 feet in height unless a conditional use permit for greater height is granted pursuant to the Conditional Use Permit Procedure at Section 8150. See Section 7160 for maximum height of facilities within required yards.

**SECTION 6226 REQUIRED YARDS.** No yards are generally required except as indicated below. The following minimum yards shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 7160:

- (a) **Front Yard.** A front yard shall be provided, as appropriate, equal to the greatest depth of the front yard required in any abutting zone.
- (b) **Side Yard, Street Side of Corner Lot.** A side yard shall be provided, as prescribed in Section 7155.
- (c) **Side Yard, Interior Lot Line.** The minimum side yard width along each interior side line of every lot shall be 10 percent of the lot width, provided, however, that no such side yard shall be less than five feet in width nor be required to exceed 15 feet in width.
- (d) **Rear Yard.** The minimum rear yard depth on every lot shall be 20 feet, except as a lesser depth is allowed by Section 7154.

**SECTION 6248 DESIGN REVIEW FOR CONSTRUCTION OR ALTERATION.** No building, sign, or other facility shall be constructed or established, or altered in such a manner as to affect exterior appearance unless plans for such proposal shall have been approved pursuant to the Design Review Procedure at Section 8200.

**SECTION 6249 OTHER ZONING PROVISIONS.** All uses shall be subject to the applicable provisions of PART 7 REGULATIONS APPLYING IN ALL OR SEVERAL ZONES.

## **S-4 (S-H) HORSEKEEPING COMBINING ZONE REGULATIONS**

**SECTION 6250 TITLE AND PURPOSE.** The provisions of Section 6250 through Section 6299 inclusive shall be known as the S-4 Horsekeeping Combining Zone Regulations. The S-4 Zone is intended to create and preserve separate and specific areas for the keeping of horses in certain predominantly residential areas of Simi Valley. The S-4 Zone is typically appropriate to the foothills where residential densities are lower and greater open space area is available. These regulations are supplementary to the regulations applying in the zones with which the S-4 Zone is combined.

**SECTION 6251 ZONES WITH WHICH THE S-4 ZONE MAY BE COMBINED.** The S-4 Zone may be combined only with the R-10 and R-20 Zones.

**SECTION 6252 ADDITIONAL PERMITTED ACCESSORY ACTIVITY.** In addition to the principal activities expressly included therein, each activity type permitted or conditionally permitted within the zone with which the S-4 Zone is combined shall be deemed to include horsekeeping as an accessory activity provided that such accessory activity is maintained on a non-commercial basis except as otherwise expressly provided in the individual applicable Zoning Regulation.

**SECTION 6268 HORSEKEEPING STANDARDS.** Standards and regulations of the Simi Valley Ordinance No. 121 regarding the keeping of horses shall apply in the S-4 Zone.



## **S-5 (S-PUD) PLANNED UNIT DEVELOPMENT COMBINING ZONE REGULATIONS**

**SECTION 6300 TITLE AND PURPOSE.** The provisions of Section 6300 through Section 6349 inclusive shall be known as the S-5 Planned Unit Development Combining Zone Regulations. The S-5 Zone is intended to assure that use and development of certain areas within Simi Valley are considered only through the submission of a comprehensive, unitary site plan. The S-5 Zone would typically be applied to areas to ensure protection of life and property where hazardous conditions exist due to geophysical factors; to areas where it can promote innovation in development so that residential and nonresidential needs may be met by a greater variety in type, design, and layout of structures; to areas of special local or historic character; and to areas where the conservation and more efficient use of open space is to be encouraged. These regulations are supplementary to the regulations applying in the zones with which the S-5 Zone is combined.

**SECTION 6301 ZONES WITH WHICH THE S-5 ZONE MAY BE COMBINED.** The S-5 Zone may be combined with any other zone.

**SECTION 6306 APPLICATION.** The S-5 Zone shall only be applied on parcels of four or more contiguous acres except under the following circumstances when it may be applied to any amount of acres:

- (a) For reasons of public safety, in areas of: 20 percent slope or more, highly erodable soils, high ground water conditions, potential threat of flooding, and areas of hazard due to slope instability, seismicity, and rock fall.
- (b) For reasons of public health and welfare when the S-5 Zone is applied because of scenic resources, topography, or landscape features which contribute to the quality of the living environment and the economic viability of Simi Valley.
- (c) For reasons of public welfare when the S-5 Zone is applied because of special historic character.
- (d) For reasons of public welfare, when the S-5 Zone is applied in recognition of an area as an isolated problem area.

**SECTION 6307 ENTIRE LOT INCLUDED WITHIN ZONE.** When the S-5 Zone is applied, the Zone shall include the entire legal parcel as well as any contiguous parcels so long as the use and development of said contiguous parcels may directly



effect the conservation of resources or protection of public health and safety for which purpose the S-5 Zone was originally applied.

SECTION 6347 PLANNED UNIT DEVELOPMENT PROCEDURE. All uses within the S-5 Zone shall apply for a planned unit development permit pursuant to the Planned Unit Development Procedure at Section 8250.

## **S-6 (S-F) FREEWAY LAND USE COMBINING ZONE REGULATIONS**

**SECTION 6350 TITLE AND PURPOSE.** The provisions of Section 6350 through Section 6399 shall be known as the S-6 Freeway Land Use Combining Zone Regulations. The S-6 Zone is intended to identify areas of noise impact emanating from the Simi Valley Freeway and to insure that special consideration is given to development within noise impact areas.

**SECTION 6351 ZONES WITH WHICH THE S-6 ZONE MAY BE COMBINED.** The S-6 Zone may be combined with any other zone.

**SECTION 6356 APPLICATION.** The S-6 Zone shall apply within 800 feet of the outside edges of the freeway lanes of the Simi Valley Freeway.

**SECTION 6399 USE CRITERIA WITHIN THE S-6 ZONE.** Except as exempted by the Nonconforming Use Regulations at Section 7600, the following criteria shall apply to any new activity or facility intended for human habitation within the S-6 Zone, other than those uses included under the provisions of Accessory Uses at Sections 2211 and 2220:

- (a) Residential and Nonresidential Facilities shall only be located in areas where the outdoor ambient noise level for the S-6 Zone, as projected by the Department of Environmental Affairs, does not exceed the noise levels specified at Section 7423 by more than five decibels.
- (b) All new activities or facilities proposed within the S-6 Zone shall submit to the Department of Environmental Affairs an acoustical report prepared or certified by a qualified firm or engineer licensed with the State of California, prior to the commencement of any new use and which shall provide the following information:
  - 1. An indication of present noise levels at the proposed site, including representative values during peak hours and between 10 p.m. and 7 a.m. The noise survey plan for said survey shall be approved by the Department of Environmental Affairs prior to survey commencement to confirm selection of appropriate sampling points.
  - 2. An indication of noise levels projected for the site at five year intervals for a twenty year period.

# **PART 7: REGULATIONS APPLYING IN ALL OR SEVERAL ZONES**

## **GENERAL REGULATIONS**

### **General Provisions**

SECTION 7000 TITLE AND PURPOSE. The purpose of Section 7000 through Section 7299 shall be known as the General Regulations. The purpose of these provisions is to set forth certain of the regulations which apply throughout the City or in several zones, and to clarify and amplify additional regulations applying within the City of Simi Valley.

### **SECTION 7005 EFFECTS OF PRIOR PERMITS**

(a) Building and Sign Permits. Whenever any building permit or sign permit has been issued or applied for prior to the effective date of the Zoning Regulations or of any subsequent rezoning or other amendment, and the proposed uses or change would not conform to said regulations or amendments, such uses may nevertheless be developed or changed to the extent authorized by the permit. If said permit expires it shall not be renewed. Such uses shall be deemed nonconforming uses, and shall be subject to the Nonconforming Use Regulations.

(b) Conditional Use Permits, Variances, and other Special Zoning Approvals. Except as otherwise provided, whenever any conditional use permit, variance, or other special zoning approval has been granted or applied for prior to the effective date of the Zoning Regulations or of any subsequent rezoning or other amendment,

and the proposed or affected uses or change would not or do not conform to said regulations or amendments, such uses may nevertheless be developed or changed, and continued or maintained to the extent authorized by the zoning approval.

**SECTION 7006 REVOCATION OF UNUSED ZONING APPROVALS.** Revocation of Unused Prior Zoning Approvals After One Year. Unless a specific termination date has been prescribed the granting of conditional use permits, variances, and other special zoning approvals granted prior to the effective date of the Zoning Regulations, those papers all shall become void one year after said effective date, unless the privileges granted by such approval have been exercised before the end of such period by the beginning of actual construction or alteration of, or other change in, the authorized facilities or actual commencement of the authorized activities.

**SECTION 7007 APPLICATION OF ZONING REGULATIONS TO LOTS DIVIDED BY ZONE BOUNDARIES.** Wherever it is found, after applying the rules set forth in Section 7015 for interpretation of zone boundaries, that any lot is divided by a boundary between zones, the provisions of the Zoning Regulations shall apply as follows to such lot:

(a) Application of All Regulations of One Zone to Existing Lot If Boundary is Near Lot Line. (See illustration I-6 .) If the lot was on the effective date of the Zoning Regulations, or of a subsequent rezoning or other amendment thereto resulting in division of the lot by a zone boundary, and continuously thereafter has been, of record, the owner or developer of such lot, or of a portion or combination of such lot or lots, may at his option assume that all the regulations applying in any zone covering 50 per-



cent or more of the lot area apply to the entire lot or lots. However, this option shall not apply unless the entire lot or all such lots or parcel of land could be included in such zone by shifting the affected zone boundary by not more than 30 feet, as measured perpendicularly to said boundary at any point.

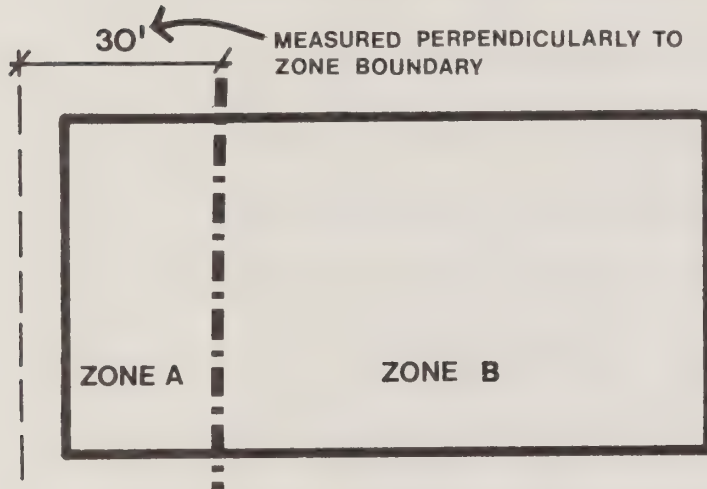
(b) Application of Regulations Where Subsection (a) is Inoperative. Wherever the provisions of subsection (a) do not apply or the option provided therein is not exercised:

1. No activity type or facility type is allowed on any portion of the lot located in a zone where such type is not generally allowed, except for the accessory uses allowed by Sections 7007(b)2 and 7007(b)3.
2. Accessory off-street parking and loading may be located on the lot without regard for zone boundaries; provided that no parking or loading shall be located on any portion of the lot located in a zone where the principal activity served is not generally allowed, except as such parking is specifically allowed by the applicable individual Zone Regulations subject to the conditions set forth in Section 7009; and further provided that parking and loading shall be subject to a conditional use permit requirement or other special controls on any portion of the lot located in any zone where such controls generally apply to parking or loading. The total amount of required parking and loading shall be calculated separately on the basis of the amount of the served use and the requirements applying in each zone; provided that the minimum size for which any parking or loading is required shall be

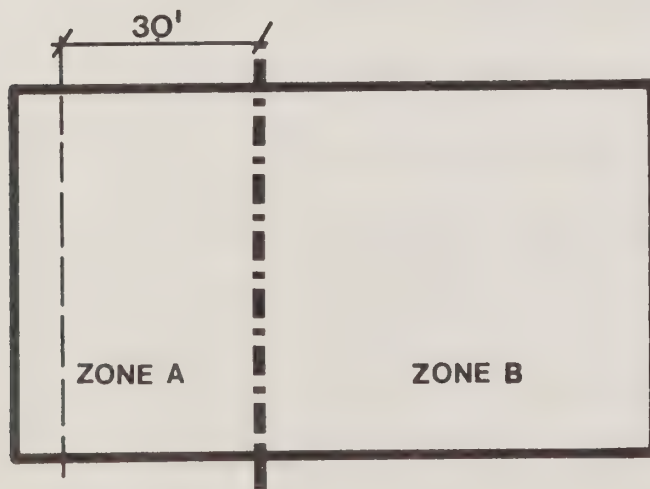
## I-6: LOTS DIVIDED BY ZONE BOUNDARIES

Under certain existing-lot conditions, the whole lot may be developed as if it were within one zone if this zone covers at least 50 percent of the lot, and if the entire lot would be in one zone if the boundary were shifted 30'.

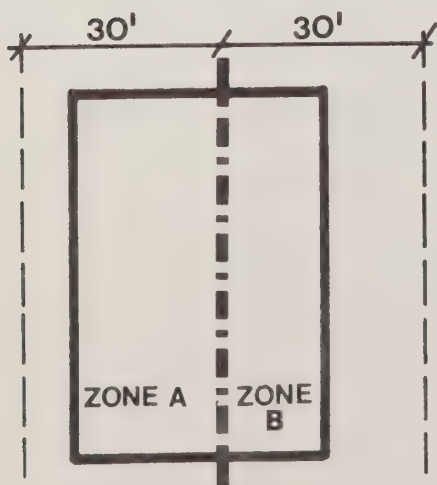
Section 7007(a)



THIS LOT MAY BE CONSIDERED ALL IN ZONE B IF OWNERSHIP REQUIREMENTS ARE MET.



THIS LOT MAY NOT BE CONSIDERED IN ONE ZONE. SECTION 7007(b) MUST BE APPLIED.



ZONE B COVERS LESS THAN 50 PERCENT, SO ENTIRE LOT MAY NOT BE CONSIDERED IN ZONE B. IT MAY ALL BE CONSIDERED IN ZONE A.



deemed to be exceeded if it is exceeded by the total of such use on the entire lot.

3. Accessory landscaping, fences, screening or retaining walls, and usable open space may be located on the lot without regard for zone boundaries. The total amount of required usable open space shall be calculated separately on the basis of the number of living units and the usable open space requirements in each zone; provided that where reference is made in such requirement to the total number of living units on a lot, the number on the entire lot shall be considered.
4. The maximum permitted or conditionally permitted number of living units, if any, on the lot shall be calculated on the basis of the amount of lot area and the density applying in each zone. The resulting maximum permitted or conditionally permitted total number of living units may be distributed on the lot without regard for zone boundaries, except as otherwise provided in Section 7007(b)1 and except that the number of living units within each zone shall not exceed the number or amount which would be allowed on the entire lot if it were completely within such zone.
5. The minimum lot area, width, and frontage requirements of the zone which covers the greater or greatest portion of the lot area of the lot shall apply to the entire lot. If the lot area is divided equally between two or more zones, the owner or developer of the lot may assume that the mini-



mum lot area, width, and frontage requirements of either or any of such zones apply to the entire lot.

6. All regulations not covered above shall apply separately to the portion of the lot within each zone, provided that where reference is made in such regulation to the total quantity of living units or other unit of measurement on a lot, the quantity on the entire lot shall be considered.

#### SECTION 7008 PERMITTED AND CONDITIONALLY PERMITTED USES.

(a) Other Uses Prohibited. Except as otherwise provided in Sections 7005 and 7007, and the Nonconforming Use Regulations at Section 7600, or as authorized pursuant to the Planned Unit Development Procedure at Section 8250 and the Variance Procedure at Section 8400, no land shall be improved or used for any activity or facility which is not listed as permitted or conditionally permitted in the applicable individual Zone Regulations or development control maps.

(b) Relationship Between Activities and Facilities. A use must qualify under the Zoning Regulations both as an activity and as a facility. A permitted or conditionally permitted activity may be accommodated or served only by a permitted facility or, upon the granting of a conditional use permit, by a conditionally permitted facility; and a permitted or conditionally permitted facility may accommodate or serve, or be designed to accommodate or serve, only a permitted activity or, upon the granting of a conditional use permit, a conditionally permitted activity.

SECTION 7009 CONDITIONS FOR ACCESSORY PARKING SERVING ACTIVITIES WHICH ARE NOT THEMSELVES ALLOWED. The following regulations shall apply

to parking serving principal activities which are not themselves permitted, wherever such parking is listed in the applicable individual Zone Regulations as permitted or conditionally permitted subject to the conditions set forth in this section:

(a) General Conditions. In all zones, such parking facilities shall be used for accessory parking only, with no sales, dead storage, repair work, dismantling, or servicing of any kind, and shall be subject to the Parking and Loading Regulations at Section 7650.

(b) Conditions in Residential Zones. In all residential zones:

1. Such parking shall not in any case be located farther than 150 feet, excluding the width of any intervening street, from the nearest boundary of any nonresidential zone, as measured perpendicularly from said boundary at any point; and
2. Such parking shall not be so located as to extend along any one side of any street farther into any residential zone than any residentially zoned lot which is in separate ownership and which has frontage on the same side of the same street as said parking, other than a lot developed only for parking; and
3. Such parking facilities shall be open only.

#### SECTION 7010 CONDITIONS FOR EXPANSION OF USE INTO ADJACENT ZONE.

The following regulations shall apply to activities which are conditionally permitted by the applicable individual Zone Regulations near a zone boundary and subject to the conditions set forth in this Section:

(a) Expansion of Use on Abutting Lot. Such uses shall be allowed only when they constitute an expansion of or are a part of an existing or proposed activity or facility which is located in or partially located in the adjacent zone, and is permitted or conditionally permitted therein. Such uses shall be allowed only on a lot, or one of a series of lots under one ownership, directly contiguous to the lot in the adjacent zone, with no intervening streets.

(b) Maximum Distance from Zone Boundary. Such uses shall not extend more than 150 feet into the zone, as measured perpendicularly from the zone boundary at any point.

(c) Substantial Improvement in Environment. A conditional use permit for such a use may be granted only upon determination that the proposal conforms to the general use permit criteria set forth in the Conditional Use Permit Procedure at Section 8150 and that the location, size, design, and other characteristics of the entire use as proposed will substantially improve or provide superior environmental relationships among all uses in the immediate vicinity.

SECTION 7015 INTERPRETATION OF ZONE BOUNDARIES. The boundaries between zones and the boundaries and other features of development control maps shall be interpreted specifically as shown on or in the maps and associated ordinances. Should any uncertainty remain as to the location or meaning of a boundary or other feature, said location or meaning shall be determined by the Director of the Department of Environmental Affairs. Such interpretation shall be subject to appeal pursuant to the Administrative Appeal Procedure at Section 8100.

SECTION 7016 OCCUPANCY OF A DWELLING UNIT. A Residential Facility, or portion thereof, shall be deemed to constitute a single dwelling unit only if it is occupied by one of the following:

(a) A single family or, where the facility occupied is a One-Family Dwelling, such family and not more than three boarders, roomers, or lodgers where access to all rooms occupied by such boarders, roomers, or lodgers is had through the main entrance of the dwelling unit.

(b) A single collective household all of the members of which use the same entrance.



## Sign Regulations

SECTION 7025 TITLE AND PURPOSE. The provisions of Section 7025 through Section 7074 inclusive shall be known as the Sign Regulations. It is the purpose of these provisions to insure that signs within the City of Simi Valley shall serve primarily to identify the general nature of an establishment or to direct attention to a product, activity, place, person, organization, or enterprise and further shall harmonize with such structures, neighborhoods, and other signs which are in the vicinity of and may be affected or impacted by any new or altered sign.

### SECTION 7026 GENERAL SIGN REGULATIONS.

(a) Scope. No sign may be displayed within the City of Simi Valley without a permit unless specifically exempted under the provisions of Section 7040.

(b) Application for Sign Permit. Application for a permit to display a sign within the City of Simi Valley shall be made on a form prescribed by the Department of Environmental Affairs and shall be filed with such Department. The application shall be accompanied by the following, in addition to such additional information as required by the Director, Department of Environmental Affairs:

1. Four copies of a plan showing the position of each sign, its relation to adjacent buildings, structures, and adjacent properties, and indicating the proposed height, size, shape, color, design, and location on the premises of each sign or sign structure. One of such plans must be colored to represent proposed colors.

2. One photograph showing the premises and surrounding property at the time of submittal of the application.

(c) Review by the Department of Environmental Affairs. The Director, Department of Environmental Affairs, shall review applications for sign permits for the following signs, except that at his discretion, the Director may refer any application to the Design Review Board rather than acting on it himself:

1. In all "R" and "S" Zones: Construction announcement signs, promotional signs, subdivision and real estate signs, on-premise signs identifying model homes, and signs offering undeveloped property of one acre or more for sale.
2. In all "C" and "I" Zones: Permanent business identification signs, construction announcement signs, freestanding signs not exceeding eight feet in height, temporary sign programs, political sign programs, parking lot signs.

(d) Review By the Design Review Board. The Design Review Board shall review all sign applications which are beyond the review authority of the Department of Environmental Affairs, including, but not limited to applications for sign permits for the following signs:

1. Permanent Apartment Signs
2. Institutional Signs
3. Permanent Product Identification Signs

4. Gasoline Price Signs

5. Freestanding Signs, exceeding eight feet in height or which are located in commercial areas where lot frontage upon a street exceeds 200 feet.

6. Signs requesting exceptions to any provision of the Sign Regulations.

(e) Standards for Decision: Standards and criteria for sign review shall be those specified in the Design Review Regulations at Section 7454, and as set forth within individual sections of the Sign Regulations for certain signs.

(f) Appeals. Appeals from decisions of the Director, Department of Environmental Affairs, or from decisions of the Design Review Board shall be made in accordance with the provisions of Section 8207 of the Design Review Procedure.

SECTION 7027 DEFINITION OF SIGN TYPES.

(a) Announcement Sign. A sign intended to direct attention to the nature of construction on the premises.

(b) Banner. A sign generally made of a flexible material usually cloth, paper or plastic; temporary in nature.

(c) Billboard Advertising Sign. A sign usually designed for use with changing advertising copy, and which is normally used for the advertisement of goods produced or services rendered at locations other than the premises on which the sign is located.

(d) **Building Frontage.** That frontage which faces upon a public or private street or parking area between such buildings and the street. Where a building faces on two or more streets, the frontage containing the principal entrance to the building shall be designated as the building frontage.

## SECTION 7028

(a) **Bus Bench Sign.** A sign located on a bench or similar structure used along the route of a bus.

(b) **Contractors Sign.** A sign stating the names of those individuals or firms directly connected with a construction project. Said sign may include the name of the city in which their business is located and emergency telephone numbers.

(c) **Directional Sign.** A sign erected for the purpose of informing the viewer of the approximate route, direction of location of a given goal, not including promotional copy.

(d) **Flags and Pennants.** Devices generally made of flexible materials, usually cloth, paper or plastic. They may or may not contain any copy and are primarily intended to draw attention; temporary in nature.

## SECTION 7029

(a) **Flashing Sign.** A sign which contains or is illuminated by lights which are intermittently on and off, change in intensity, or which create the illusion of flashing in any manner.



(b) **Free-Standing Sign.** A sign standing on the ground not attached to a building. Signs mounted flat on legitimate walls or legitimate architectural extensions (such as wing walls, pergolas, etc. ) will not be considered free-standing.

(d) **Height of Sign.** The distance from the average surface grade immediately surrounding the base of the sign to the top of its highest element, including any structural element.

(d) **Illuminated Sign.** A sign in which a source of light is used in order to make readable the message. This definition shall include internally and externally lighted signs and reflectorized, glowing, or radiating signs.

## SECTION 7030

(a) **Institutional Sign.** A sign identifying the premises of a church, school, hospital, rest home or similar facility.

(b) **Moving or Rotating Signs.** A sign or device designated to attract attention by visual means through the movement or semblance of movement of the whole or any part of the sign, including rotation, special lighting or wind actuated devices.

(c) **Off-Premises Sign.** A sign identifying a business or product at some location other than the property where the sign is displayed.

(d) **On-Premises Sign.** A sign located on the same parcel with the business or product being identified or advertised.

## SECTION 7031

(a) **On-Site Public Right-of-Way.** A sidewalk, walkway, roadway, or alley, wholly or partly on private property, and intended for public use.

(b) **Permanent Identification.** A sign which directs attention to a principal business, profession, industry or building located on the premises upon which the sign is displayed, not free-standing.

(c) **Placed or Displayed.** The terms "placed" or "displayed" shall include erected, constructed, posted, pointed, printed, tacked, glued, carved or otherwise fastened, fixed, or made visible in any manner whatsoever.

(d) **Political Sign.** A sign pertaining to an issue or candidate in a pending election.

## SECTION 7032

(a) **Product Advertising.** A sign or portion of a sign which directs attention to accessory or secondary products or services sold on the premises by specific name, brand name, trademark or logo; temporary in nature.

(b) **Product Identification.** A sign or portion of a sign which directs attention to the primary product or service sold on the premises by generic name, brand name, trademark or logo; permanent in nature.

(c) **Promotional Sign.** A sign intended to direct attention to a special event or product; temporary in nature.

(d) Sign. Any physical form of visual communication which is intended to be viewed from public areas, including all parts, portions, units and materials composing same, together with illumination, frame, background, structure, support, and anchorage, and including the interior display of window signs large enough to be read by those in vehicles passing at the permissible speed in the nearest travel lane of a public street or highway right-of-way.

## SECTION 7033

(a) Sign Area. The surface space within a single continuous perimeter containing words, letters, figures or symbols together with any frame, material or color forming an integral part of the display, but excluding support structures, face of building, and incidental parts not drawing attention to the subject matter.

(b) Sign Program. A coordinated program of one or more signs all relating to the same enterprise and all to be erected on the same parcel of land.

(c) Sign Structure. A structure which supports or is capable of supporting any sign. A sign structure may be a single pole or may or may not be an integral part of the building.

(d) Shopping Center. A group of businesses which functions as an integral unit on a single or contiguous parcel and which utilizes common off-street parking and access.

## SECTION 7034

- (a) **Street Frontage.** The linear frontage of a parcel of property abutting a public street.
- (b) **Temporary Sign.** A sign constructed of paper, cloth, canvas, or other similar light-weight material, with or without frames, and including painted windows, intended to be displayed for a period not to exceed 60 days.
- (c) **Under-Canopy Sign.** A lighted or unlighted sign attached to the underside of a canopy projecting over public or private sidewalks or right-of-way.
- (d) **Window Sign.** A sign painted, attached, glued, or otherwise affixed to or near a window and designed to be viewed from adjoining streets.

SECTION 7040 SIGNS ALLOWED WITHOUT PERMIT. The following signs may be displayed in non-illuminated form without permit, subject to the specified limitations:

- (a) Temporary community oriented signs such as religious, charitable, cultural or educational signs, not exceeding 12 square feet in sign area and 6 feet in height.
- (b) Political signs not exceeding 12 square feet in area and 6 feet in height, except that no more than one such sign per candidate or issue shall be displayed per street frontage. Such signs shall be displayed no sooner than 45 days before and removed no later than seven days after the election to which they pertain.
- (c) Governmental or other legally required posters, notices or signs.



(d) Signs offering housing or real property "For Sale" or "For Rent" or similar signs, subject to the following:

1. Only one such sign shall be displayed per street frontage of the property to which it refers.
2. Such sign shall not exceed six square feet in sign area and seven feet in height.
3. Such sign shall be placed a minimum of five feet inside any property line.

(e) Signs designating "Manager" or "Office" not exceeding one square foot in sign area.

(f) Signs identifying the owner or occupant of the property and the address, not exceeding one square foot in sign area.

(g) Flags or emblems of state, national and local government.

(h) Contractors signs including identification of no more than two contractors, subcontractors, banks, etc., not exceeding six square feet in sign area and eight feet in height, subject to the following:

1. Only one such sign shall be displayed per project.
2. Such signs may only be displayed after the issuance of a building permit.
3. All such signs shall be removed within seven days of completion of construction.

4. All such signs shall be located a minimum of five feet inside any property line.

#### SECTION 7041 GENERAL SIGN PROHIBITIONS.

(a) The following sign types are prohibited:

1. Signs Affecting Traffic Safety. Signs or structures which by color, wording, design, or location resemble or conflict with any traffic control sign or device are prohibited.
2. Flashing and Blinking Signs. Blinking or flashing lights or other lighting not consistent with the purposes of this ordinance are prohibited.
3. Moving or Rotating Signs. Moving or rotating signs are prohibited.
4. Billboard Advertising Signs. Billboard advertising signs are prohibited.
5. Bus Bench Signs. Bus bench signs are prohibited.
6. Signs Attached or Painted on Vehicles for Advertising Purposes. Signs attached to or painted on a vehicle or trailer, utilized on the premises or in the immediate proximity of the business advertised, for the purposes of soliciting customers for said business are prohibited.

(b) Signs are not permitted in the following locations, except as specifically exempted within this subsection:

1. No sign shall be erected in a public right-of-way unless authorized by the City Council.

2. No sign shall be erected outside of the premise where the person or business sought to be identified is to be located, unless specifically exempted under the provisions of Section 7042.
3. No sign shall project over an on-site public right-of-way except for under-canopy signs.
4. No sign shall be erected in such a manner as to obstruct free and clear vision of pedestrian and vehicular traffic.

(c) Scenic Highways. Off-premise directional signs and on-premise subdivision advertising signs shall be prohibited within 660 feet of the Simi Valley Freeway or any "scenic highway" adopted by the City of Simi Valley or the County of Ventura.

#### SECTION 7042 GENERAL LIMITATION ON SIGNS.

(a) Permit and Seal Required. Except as provided by Section 7040 in regard to signs allowed without a permit, no sign shall be placed or erected prior to obtaining a permit and seal as provided in the Design Review Procedure at Section 8200. Conditions of receipt of a sign permit shall be based on the satisfaction of criteria at Section 7454 and under the following conditions:

1. One sign permit shall be required for each sign program.
2. Permits shall be issued only for signs to be located on the site occupied by the person or business sought to be identified by such signs, except as otherwise provided in these regulations.
3. All permits shall be valid for the life of the sign except as specifically exempted within this Section and provided that application for renewal

of any permit shall be made within 20 days prior to the expiration of the existing permit. Applications made for renewal of existing permits after the expiration of such permits shall be treated as a new application.

(b) Sign Illumination. The approval of any illuminated sign shall not be final until 30 days after installation during which period the approving authority may order the dimming of any illumination found to be excessively brilliant and no sign permit shall be valid until such order has been satisfactorily carried out. Illumination shall be considered excessive when it prevents normal perception of objects or buildings beyond or in the vicinity of the sign or that is offensive to nearby residences or businesses.

(c) Sign Changes. Any change in the essential character of any existing sign shall be construed as the installation of a new sign and require application for a new permit. For the purposes of this Section, any change in sign location, placement, height, size, shape, color, lettering, or support may be considered a change in the essential character. Changes in price and terms shall not be deemed a change in essential character.

(d) Sign Maintenance. All signs, together with all supports, braces, guys, and anchors, shall be kept in repair, including replacement of defective parts, repainting, cleaning, and otherwise in a presentable condition.

(e) Code Compliance. All signs shall be in compliance with the Building, Electrical, and Fire Codes of the City of Simi Valley.



**(f) Limitations Within Residential Zones.**

1. Construction announcement signs identifying three or more contractors, subcontractors, realtors, banks, etc., shall not exceed 20 square feet in sign area and eight feet in height. No more than one such sign shall be displayed per street frontage, and such signs shall be placed a minimum of five feet inside any property line and shall be displayed only after the issuance of a building permit and only until either a permanent or temporary Certificate of Occupancy is issued, but in no case to exceed one year from the time of initial display of such sign.
2. Promotional signs shall not exceed 20 square feet in area and eight feet in height. Such signs shall be limited to the promotion of new housing and no more than one such sign shall be displayed per street frontage. Any such sign shall be placed a minimum of five feet inside any property line and all such signs shall be non-illuminated. The permit for promotional signs shall expire six months from date of issue and shall require a new application for renewal.
3. Subdivision and Real Estate signs advertising for sale, rent, or lease, real property which has been divided into five or more lots, parcels or units shall be limited to one such sign displayed on premises. For the purpose of this subsection, a subdivision premises shall be construed as the area described by the Final Tract Map which has a separate and distinct marketing program including its own model complex. Such on-premise signs shall not exceed 80 square feet in sign area and 14 feet in

height. Any such sign shall be placed a minimum of five feet inside any property line. No more than four such signs shall be displayed off premises. Such off-premises signs shall be directional only and each shall not exceed 10 square feet in sign area and eight feet in height. Such signs shall be displayed only on the major or secondary highway nearest the property advertised and no nearer than 50 feet from any residence or other sign. All such signs shall be non-illuminated. The permit for any subdivision or real estate sign shall expire one year from the date of issue and shall be subject to the posting of a Two Hundred Dollar bond to guarantee removal.

4. On-premise signs identifying model homes shall be limited to one such sign displayed for each such homes. Signs shall not exceed six square feet in sign area and seven feet in height and shall be placed a minimum of five feet inside any property line.
5. Signs offering undeveloped property of one acre or more for sale shall not exceed 20 square feet in sign area and seven feet in height and no more than one such sign shall be displayed per street frontage. Signs shall be placed a minimum of five feet inside any property line and the permit for any such sign shall expire one year from the date of issue or upon sale of the property, whichever is less.
6. Permanent apartment identification signs shall be limited to no more than one such sign display per street frontage. If free-standing, such sign shall not exceed five feet in height.

7. Institutional signs, if free-standing, shall not exceed five feet in height.

(g) Limitations Within Commercial, Industrial, S-1, S-2, and S-3 Zones.

1. Permanent identification signs shall be limited to the name and type of business and shall not exceed 75 square feet in sign area or in square feet the lineal front footage of the building, whichever is less. Such signs shall be mounted flat on the building and no more than one such sign shall be displayed per street frontage. Signs shall not extend above the top of the parapet or eave line of the building. However, one under-canopy sign not exceeding two square feet in sign area and extending no lower than eight feet above the sidewalk may additionally be approved, in lieu of free-standing signs.
2. Construction announcement signs identifying three or more contractors, subcontractors, realtors, banks, etc., shall not exceed 20 square feet in sign area and six feet in height. No more than one such sign shall be displayed per street frontage and all signs shall be placed a minimum of five feet inside any property line and shall be displayed only after the issuance of a building permit and only until either a permanent or temporary Certificate of Occupancy is issued, but in no case to exceed one year from the time of initial display of such signs.
3. Free-standing signs shall not exceed 12 square feet in sign area and eight feet in height.
4. All gasoline price signs shall be mounted on the building, canopy, gasoline pump island, window or other architecturally integrated feature.

**(h) Limitations Within All Zones.**

1. Temporary identification signs shall be subject to an additional fee.

A permit shall be required for the display of temporary window signs exceeding 10 percent of the window area or displayed for more than 30 days. Flags or pennants shall be allowed by permit for no more than one 30 day period in any calendar year. A permit valid for 30 days may be issued for the display of banners across the public right-of-way where such banners are announcing civic and charitable activities sponsored by a civic or charitable organization within the City. A permit valid for one year may be issued for temporary sign programs for signs to be replaced within 14 days. Review shall be based on typical copy, location on the structure, supports, letter style, and other visual elements. Any person obtaining such a permit shall waive the right to display window signs without permit. A permit may be issued for the display of temporary signs, including the display of a temporary identification sign after approval of a permit identification sign has been granted, for a period not exceeding 60 days. No more than two such permits shall be issued to any person in any one calendar year.

2. Political sign programs shall not exceed more than 10 signs, each not exceeding 32 square feet in area and 6 feet in height. Such signs shall be displayed no sooner than 45 days before and removed no



later than seven days after the election to which they pertain. A cash deposit or Surety Bond of One Hundred Dollars guaranteeing removal of such signs shall be deposited with the Department of Environmental Affairs. Only one sign fee equal to the cost of approval of a single sign shall be charged for a total sign program.

3. Parking lot signs, including entry, exit and directional signs as necessary to facilitate the safe movement of vehicles served by the parking area shall include no advertising or pictorial material other than the name of the sponsoring use. Liability and information signs shall not contain advertising or pictorial material other than the name of the sponsoring use.

#### SECTION 7045 NONCONFORMING SIGNS.

Every sign in existence within the City of Simi Valley as of October 13, 1971 shall be deemed nonconforming and shall be subject to the following:

(a) Every sign in existence on October 13, 1971 which was not in conformance with the provisions of Article 24 of the Ventura County Ordinance as adopted by the City of Simi Valley shall continue to be amortized according to the schedule in the County Ordinance, provided, however, that any owner of such a sign may apply to the Department of Environmental Affairs for a permit, in which case the sign would no longer be nonconforming if approved.

(b) Every sign in existence on October 13, 1971 which did not conform to the previous ordinance, but which was in conformance with the provisions of Article 24 of the Ventura County Ordinance as adopted by the City of Simi Valley shall be removed or altered so as to conform to this Ordinance. Such signs shall be removed or altered according to the following schedule of building permit values, as specified in the previous sign control ordinance:

1. \$0-\$500.00 - 2 years from the effective date of the ordinance (removed by October, 1973).
2. \$501.00-\$1,000.00 - 3 years from the effective date of the ordinance (removed by October, 1974).
3. \$1,001.00-and over - 5 years from the effective date of the ordinance (removed by October, 1976).

(c) The Design Review Board shall review all those signs included in Section 7045(b) and provide the owners of any sign designated non-conforming with a written statement of the grounds therefor.

#### SECTION 7046 REMOVAL OF ILLEGAL SIGNS.

(a) Any sign now or hereafter existing which no longer identifies a bona fide business conducted nor advertises a product available for purchase by the public or any sign which has been constructed or erected, or is being maintained in violation of the provisions hereof, shall be taken down, removed or altered by the owner, agent or person having the beneficial use of the building or structure or land upon

which such sign may be found, as directed in writing by the Director of Public Services or his designated representative.

(b) Any sign erected upon public property in violation of the provisions hereof may be removed by the Director of Public Services or his designated representative.

(c) The cost of the removal or alteration of any sign and any expense incident thereto, which by the terms of the Sign Review Regulation shall be paid by a permittee, sign owner, property owner or any other persons, shall become a debt owing the City for the collection of which the City may maintain civil action in its own name.

## **Lot and Area Regulations**

### **SECTION 7075 LOT AREA AND WIDTH EXCEPTIONS AND RESTRICTIONS.**

- (a) **Exceptions for Existing Lots.** Notwithstanding the minimum lot area and lot width requirements prescribed in the applicable individual Zone Regulations, any parcel of contiguous land which does not meet such requirements may be developed as a lot for a Residential Facility in any zone where such facility is allowed, if that parcel on the effective date of the Zoning Regulations was in single or unified ownership separate from that of any abutting property, and if that parcel existed lawfully under the previous zoning controls.
- (b) **Restrictions on New Lots.** No lot shall be created with, nor shall any lot be reduced to result in, an area or dimension less than the minimum lot area and dimensions required in the individual Zone Regulations, except as provided in Section 7076. Existing lots which have an area or dimension less than the minimum area required shall not be reduced in area or the respective dimension.

**SECTION 7076 EXCEPTIONS TO STREET FRONTAGE REQUIREMENT.** Notwithstanding the requirements prescribed in the applicable individual Zone Regulations with respect to minimum frontage upon a street, a lot which does not meet such requirements may be created and developed in each of the following situations:

- (a) If it has a frontage of not less than 40 feet upon an undedicated vehicular way, other than one similar in function to an alley or path, which has a right-of-way not less than 40 feet in width and which was shown on maps on file with the City



Engineer on the effective date of the Zoning Regulations.

- (b) If it is served by a private access easement approved pursuant to the Subdivision Regulations.
- (c) If it is an area of greater than 10 per cent slope or in a planned unit development and the configuration of parcels serves to minimize the requirement for new roads, provided that adequate access for Fire Department vehicles is maintained.
- (d) If it consists of a parcel of contiguous land which was on the effective date of the Zoning Regulations, or of any subsequent rezoning or other amendment thereto which makes such parcel fail to meet such requirements, and continuously thereafter has been, of record in single or unified ownership separate from that of any abutting property, and if such parcel existed lawfully under the previous zoning controls.

## Height Regulations

SECTION 7100 GENERAL HEIGHT MAXIMUM. No building, sign, or structure shall exceed the maximum height listed in the individual Zone Regulations except as specified in Section 7101 to Section 7149 inclusive.

### SECTION 7101 HEIGHT MEASUREMENT.

(a) Building, Sign, or Other Facility. In the case of a building, sign or other facility, height shall be measured as the vertical distance by which such building, sign, or other facility, or portion thereof, extends above the average elevation of the adjoining finished grade(s).

(b) Fence, Screening or Retaining Wall, or Dense Landscaping. In the case of a fence, screening or retaining wall, or dense landscaping, height shall be measured as the vertical distance by which such facility, or portion thereof, extends above the highest adjoining finished grade.

### SECTION 7105 PROJECTIONS ABOVE MAXIMUM HEIGHT.

(a) Structures on Top of Building. Projections above any building, including but not limited to, towers; spires; chimneys; parapet walls; penthouses other than those containing any living unit; radio or television aerials; and necessary mechanical appurtenances may extend not more than 15 feet above the maximum height prescribed for the building if such projections cover, in the aggregate, no more than 10 percent of the horizontal area of the building.

(b) **Freestanding Flagpoles and Antennas.** Freestanding flagpoles and radio or television masts and antennas may project not more than 15 feet above the maximum height specified within the individual Zone Regulation.

(c) **Trees.** Trees may project without limit above any maximum height.

(d) **Sign Spires.** Spires and similar features of signs may extend above the maximum height only when and as allowed by the Sign Regulations at Section 7025.

**SECTION 7106 GREATER HEIGHT FOR CIVIC FACILITIES WITH INCREASED YARDS.** A Nonresidential Facility accommodating any civic activity may, notwithstanding the maximum height prescribed for such facility in the applicable individual Zone Regulations, be developed to a greater height, not to exceed 75 feet except as otherwise provided in Section 7105 if the minimum depth or width of each front, side, and rear yard otherwise required for such a facility is increased by one foot for each foot by which such facility exceeds the height prescribed in the individual Zone Regulations. An opinion on the effect on views shall be rendered by the Design Review Board in all instances of application for heights greater than those allowed by individual Zone Regulations.

## **Yard Regulations**

### **SECTION 7150 YARD MEASUREMENT**

(a) **Front Yard.** An open space measured into a lot from its front line or lines, which extends the full width of the lot, and remains unoccupied and unobstructed from the ground upward except as specified within Section 7160.

(b) **Side Yard.** An open space measured into a lot from one or more of its side lot lines, extending from the front yard to the rear yard, and remains unoccupied and unobstructed from the ground upward except as specified within Section 7160.

(c) **Rear Yard.** An open space measured into a lot from its rear lot line, extending the full width of the lot, and which remains unoccupied and unobstructed from the ground upward, except as specified within Section 7160.

**SECTION 7151 MINIMUM SIDE YARDS IN RESIDENTIAL AREAS.** Dimensions and locations of required side yards in residential areas shall be governed by the provisions of this Section.

(a) **General Requirements:**

1. No side yard shall be less than five feet in width except as provided in Section 7151(b) or 7151(c).
2. Except for construction of one dwelling within a single lot or tract by the same owner or developer, one side yard of a minimum 10 foot width to accommodate recreational vehicles shall be provided in new Residen-



tial Facilities or, instead, an auxiliary Enclosed Facility for off-street parking shall be required within the development so that recreational vehicles may be stored. One recreational vehicle space shall be provided for each three dwelling units within the development.

(b) Interior Side Yard Reduced to Zero. In all residential zones when new residential development occurs on lots sharing an interior side lot line, one interior side yard may be reduced to zero provided:

1. That the owner(s) of adjacent lots agrees to construct facilities which will abut the shared interior lot line.
2. That the combined side yard width as required by the individual Zone Regulation is transferred to the remaining side yard.
3. That such transfer is properly filed with the Ventura County Recorder.

(c) Partial Interior Side Yard Waiver. In all residential areas, when new residential development occurs on lots sharing an interior side lot line, a garage may be constructed in one of the side yards when all of the following conditions are met:

1. The owner(s) of adjoining lots agrees to construct garages which will abut a shared interior lot line.
2. The garages are fully enclosed.
3. A shared driveway provides access to both garages.
4. Only one curb out of a width not greater than 12 feet is provided for the two adjoining lots.
5. No activity, other than off-street parking, occurs within or above the space occupied by garages.

6. An easement for the shared driveway is filed with the Ventura County Recorder.
7. Regulations governing the openness of required yards at Section 7160 shall be considered still in effect for all portions of required side yards not occupied by a garage.

SECTION 7152 MINIMUM REAR AND SIDE YARDS ALONG BOUNDARIES OF ZONES REQUIRING REAR AND SIDE YARDS. Whenever a rear or interior side lot line of any location in any zone which does not generally require rear or side yards on every required lot abuts any portion of a lot located a zone in which a rear or side yard is required, there shall be provided on the former lot, along the abutting portion of the rear or side lot line, a rear or side yard with a minimum width equal to that which would be required on the former lot if it were located in the abutting zone. Such yards shall be provided unoccupied and unobstructed except for facilities allowed therein by Section 7160.

SECTION 7153 MINIMUM FRONT YARD IN COMMERCIAL AND INDUSTRIAL ZONES. (See illustration I-7). Wherever 50 percent or less of the frontage on one side of a street between two intersecting streets is in any residential zone and all or part of the remaining frontage is in any commercial or industrial zone, a front yard with a depth equal to only the minimum required street setback shall be provided on every commercially or industrially zoned lot having such frontage. If 50 percent or more of the total frontage is in more than one residential zone, the minimum front yard depth on the commercially or industrially zoned lots

shall be equal to that required in the residential zone in which the least such depth is required. Such yards shall be provided unobstructed except for accessory structures or other facilities allowed therein by Section 7160. Whenever a new facility is erected adjacent to an existing commercial or industrial facility, the new facility shall provide a front yard depth equal to the existing adjacent one, except that when the newly developed parcel is greater than four acres no front yard is specifically required and the development must be submitted under a unitary site plan pursuant to the Planned Unit Development Procedure at Section 8250.

SECTION 7154 REDUCED REAR YARD ADJACENT TO OPEN AREAS. In all zones, wherever a rear lot line abuts an alley or a permanent unoccupied and unobstructed public or private open space area with a minimum depth beyond the rear lot line of 30 feet, the required rear yard dimension prescribed in the applicable individual Zone Regulation may be reduced by one-half, provided that under no circumstances may the rear yard have a minimum depth of less than 10 feet.

SECTION 7155 MINIMUM SIDE YARD ON STREET SIDE OF CORNER LOT - RESIDENTIAL ZONES. (See illustration I-8).

(a) Where There is a Key Lot in a Residential Zone. In all residential zones, on every corner lot which abuts to the rear a key lot which is in a residential zone, there shall be provided on the street side of such corner lot a side yard with a minimum width equal to one-half of the minimum front yard depth required on the key lot.

(b) Where There is No Key Lot in a Residential Zone. In all residential zones, on every corner lot which does not abut to the rear a key lot which is in a residential zone, the required minimum side yard width on the street side of such corner lot shall be the same as that, if any, generally required along each interior side lot line of every lot in the same zone.

(c) Whether or Not a Key Lot Exists. In all residential zones, side yards on the street side of corner lots shall not be required to exceed five feet in width to the extent that it would reduce to less than 25 feet the buildable width of any corner lot which was on the effective date of the Zoning Regulations, or of any subsequent rezoning or other amendment thereto which increased applicable side yard requirements, and continuously thereafter has been, of record in single or unified ownership separate from that of any abutting property, and which existed lawfully under the previous zoning controls. Such yards shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 7160.

SECTION 7156 MINIMUM SIDE YARD ON STREET SIDE OF CORNER LOT IN COMMERCIAL AND INDUSTRIAL ZONES WHERE KEY LOT IS IN RESIDENTIAL ZONE. (See illustration I-7). Wherever any reversed corner lot located in any commercial or industrial zone abuts to the rear a key lot which is in any residential zone, there shall be provided on the street side of such corner lot a side yard with a minimum width of one-half of the minimum front yard depth required on the key lot, except as a greater street setback is required by the individual Zone Regulations. Such side yard shall be provided unobstructed except for the acces-



sory structures or the other facilities allowed therein by Section 7160.

#### SECTION 7157 MINIMUM SIDE YARD OPPOSITE LIVING ROOM WINDOWS.

(See illustration I-9). On each lot containing Residential Facilities with a total of two or more living units, a side yard with the minimum width prescribed hereinafter shall be provided opposite any legally required window of a living room in a Residential Facility wherever such window faces any interior side lot line of such lot, other than a lot abutting an alley, path, or public park. The side yard prescribed by this Section is not required on other lots or in other situations. Such yards shall have a minimum width of eight feet, plus two feet for each story at or above the level of the aforesaid window; provided, however, that such side yard shall not be required to exceed 20 percent of the lot width in all residential zones, except that in no case shall such side yard width be less than five feet. The side yard required by this Section shall be provided opposite the legally required window and opposite that portion of the wall containing such window, or of any extension of such wall on the same lot, for a distance of not less than 10 feet in both directions from the center line of such legally required window, and at and above finished grade or the floor level of the lowest story containing such a window, whichever level is higher. Such yard shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 7160.

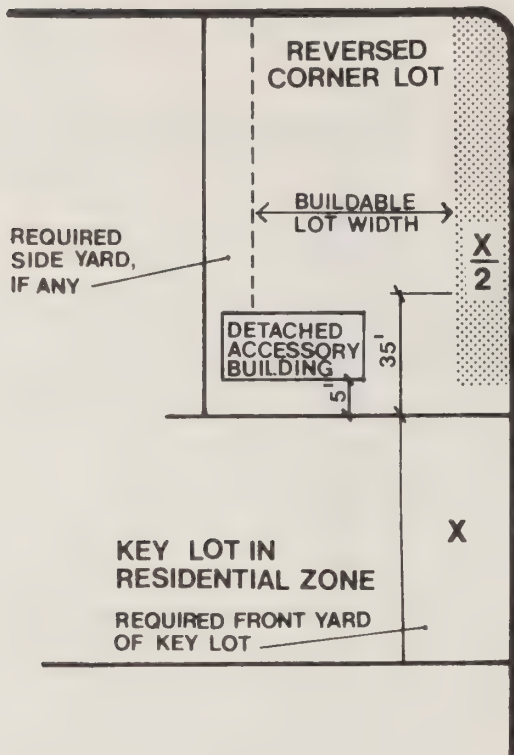
#### SECTION 7158 MINIMUM COURT BETWEEN OPPOSITE WALLS ON SAME LOT.

(See illustration I-10). On each lot containing Residential Facilities with a total





## I-8: STREET SIDE YARDS AND ACCESSORY BUILDINGS IN RESIDENTIAL ZONES

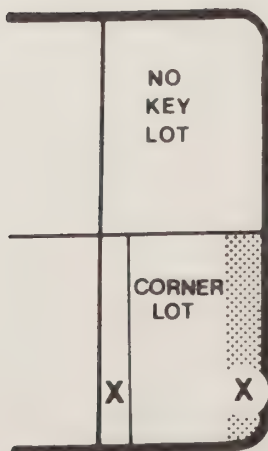


Where There Is A Key Lot In a Residential Zone:  
Side yard on street side must be at least half the  
required front yard of key lot which abuts to the  
rear.

Exception: On certain pre-existing lots, side yard  
need not exceed five feet to the extent above re-  
quirement would reduce buildable lot width to less  
than 25 feet.

Detached accessory buildings within 35 feet of key  
lot must be set back from street line a distance  
equal to front yard of key lot, and must be at least  
five feet from key lot's side lot line.

Section 7155 (a)(c)



Where There Is No Key Lot In A Residential Zone:  
Exterior side yard must equal interior side yard, if any, generally  
required.

Exception: Same as above.

Section 7155 (b)(c)

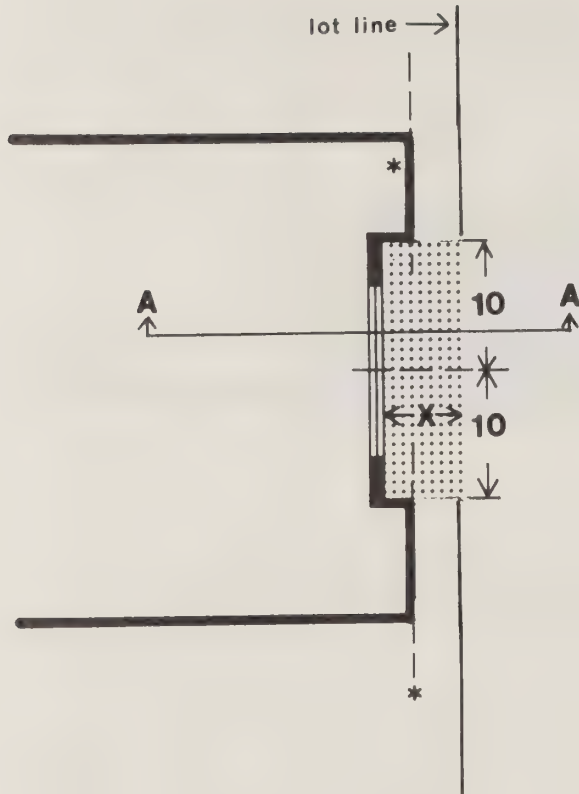




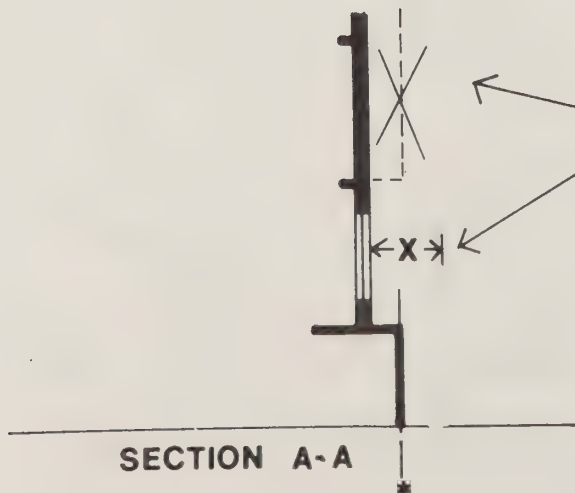
## I-9: SIDE YARD OPPOSITE LIVING ROOM WINDOW

On any lot containing two or more living units, this yard must be provided wherever a legally required window of a living room faces an interior side lot line.

Section 7157



Width **X** must be eight feet plus two feet per story at or above the level of the window. This need not exceed 20 percent in any residential zone, but must always be at least five feet. It must extend 10 feet in each direction from the center line of the legally required window.



This yard must be provided at and above the level of the window.

\* Required yard

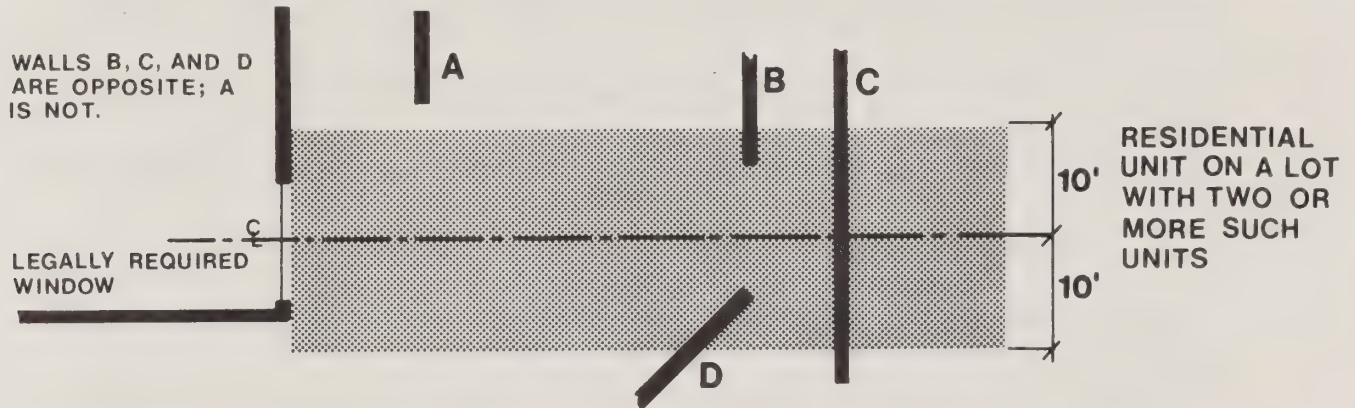


# I-10: REQUIREMENTS FOR COURTS WITH WINDOWS

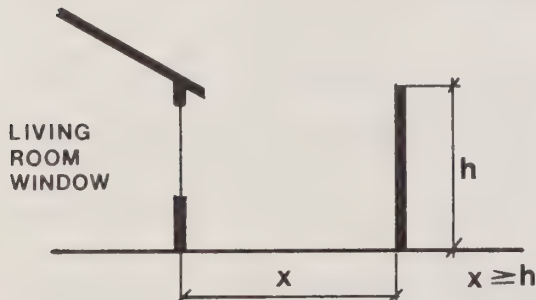
## SECTION 7158

### DETERMINATION OF OPPOSITE WALLS

If a line perpendicular to a legally required window and within 10' of the center line of the window intersects a wall, it is "opposite."



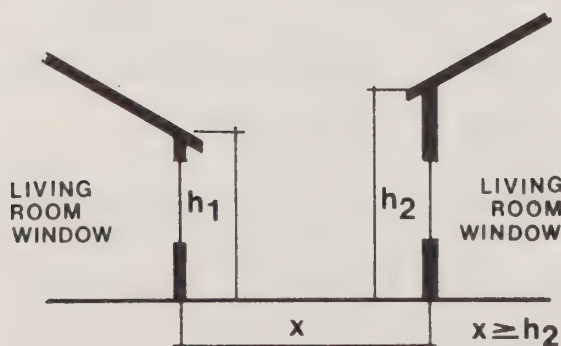
The court may be provided at the floor level of the lowest story containing the indicated kind of window. The wall heights shown below may be measured above this level.



Court size must be equal to or greater than opposite wall height.

Minimum required: 18'

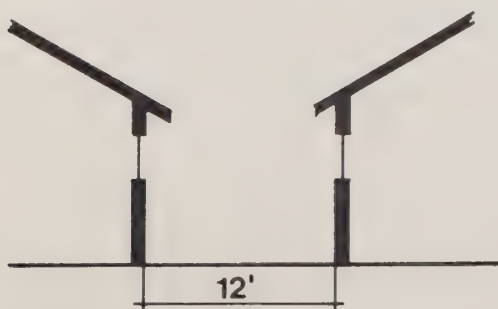
Maximum required: 50'



If both walls contain living room windows, the court size must equal the higher wall.

Minimum required: 18'

Maximum required: 50'



If both walls contain legally required windows of habitable rooms other than living rooms, the minimum court size is 12'. (If in only one wall, no court requirement.)





of two or more living units, courts with the minimum depths prescribed below shall be provided in the cases specified hereinafter between opposite exterior walls, or portions thereof, of the same or separate buildings on such lot. Courts are not required on other lots or in other situations. The aforesaid walls shall be considered to be opposite one another if a line drawn in a horizontal plane perpendicularly from any portion of any of the legally required windows referred to hereinafter, or from any point along the wall containing such window, or any extension of such wall on the same lot, on the same story as and within 10 feet in either direction from the center line of said legally required window, intersects the other wall. The courts required by this Section shall be provided opposite each of the legally required windows referred to hereinafter and along the wall containing such window, and along any extension of such wall on the same lot, for not less than 10 feet in both directions from the center line of such legally required window, and at and above finished grade or the floor level of the lowest story containing such a window, whichever level is higher. Such courts shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 7160.

(a) Legally Required Living Room Windows in Either or Both Walls. If either or both such opposite walls contain any legally required window of any living room in a Residential Facility, a court shall be provided between such walls with a minimum horizontal depth equal to the height of the wall opposite such window, or the height of the higher of such opposite walls where both walls contain such a window; provided, however, that in no case shall the horizontal depth of

such court be less than 18 feet nor be required to exceed 50 feet. For the purpose of computing the minimum depth of such court, the aforesaid height of wall shall be measured above finished grade or above the floor level of the lowest story of the opposite wall containing such a window, whichever level is higher.

(b) Other Legally Required Windows in Both Walls. If both such opposite walls contain legally required windows of any habitable rooms, other than living rooms, in a Residential Facility, a court shall be provided between such walls with a minimum horizontal depth of 12 feet.

SECTION 7160 EXCEPTIONS TO REQUIRED OPENNESS OF MINIMUM YARDS AND COURTS. Every part of each required minimum yard shall be open and unobstructed from finished grade or, where applicable, from such other specified level at which the yard is required, to the sky except for the facilities allowed in such yard by the following table. In no case shall more than 50 percent of the horizontal area of a required minimum rear yard be covered by any facilities, other than trees, which extend more than six feet above the level at which such yard is required. Wherever a yard is required only for a particular facility, it may be provided at the level of the lowest story containing such facility; provided that where such facility is a Residential Facility, such level shall be that of the lowest story, or portion thereof, containing a living unit. Where the height of facilities within minimum yards or courts is not specifically limited by the following table, such facilities shall conform to the maximum height, if any, prescribed for facilities in the

zone where they are located. See also the applicable individual Zone Regulations and Section 7300 (Landscaping, Buffering and Screening) for any special regulations prescribed therein with respect to development, location, or screening of parking, loading, and other uses referred to in the following table.



# ALLOWED PROJECTION INTO, OR LOCATION WITHIN, MINIMUM YARDS

Facilities	Front Yard	Side Yard on Street Side of Corner Lot	Side Yard Along Inter- ior Side Lot Line	Rear Yard
(a) Eaves; awnings, louvers, and similar shading devices; sills, cornices, and similar features; flues and chimneys; and similar architectural projections from a building.	Four feet into above yard.	Four feet into above yard.	Two feet into above yard.	Four feet into above yard.
(b) Patio roofs and similar structures projecting from and serving a Residential Facility, if such structures do not exceed 12 feet in height and if each has open, unwallled sides along not less than 40 percent of its perimeter.	Four feet into above yard.	Four feet into above yard.	Two feet into above yard.	Eight feet into above yard.
(c) Breezeways and similar roofed passageways projecting from and serving a Residential Facility, if they do not exceed 12 feet in height and eight feet in width and if they are not enclosed on the sides.	Four feet into above yard.	Four feet into above yard.	Two feet into above yard.	Any distance into above yard.
(d) Balconies, decks, and similar structures projecting from and serving a Residential Facility and having a mean height, including railings, of more than six feet above the level of the yard, but excluding corridors and similar facilities providing access to two or more living units; provided that such structures are cantilevered or supported only by necessary columns; and further provided that such structures are unroofed, except that a balcony or deck projecting from a higher story shall not be deemed a roof.	Six feet into above yard.	Five feet into above yard.	Five feet into above yard, but not to within five feet of interior side lot line.	Six feet into above yard.
(e) Exterior access facilities which lead to the second or higher story of a building, including open or enclosed fire escapes and open, unroofed, fire-proof outside stairways, landings, and exterior corridors.	Four feet into above yard.	Four feet into above yard.	Not allowed	Four feet into above yard.

Facilities	Front Yard	Side Yard on Street Side of Corner Lot	Side Yard Along Inter- ior Side Lot Line	Rear Yard
(f) Unroofed porches, steps, and other similar raised structures projecting from a building and having a mean height, including railings, of not more than six feet above the level of the yard.			Eight feet into above yards, but not to within five feet of any lot line.	Any distance into above yard.
(g) Open storage of boats trailers, motor homes, camper shells, and similar materials; areas for temporary storage of containerized trash.	Not allowed	Not allowed	Anywhere in above yards, provided that a solid fence or wall not less than five feet high separates the vehicle or item from the public right-of-way in such a manner that, at least, the lower portion of the vehicle or item is not visible from the street, except as otherwise provided by Section 7300 (Landscaping, Buffering, and Screening).	
(h) Slides, clotheslines, and similar equipment and radio or television masts or antennas.	Not allowed	Not allowed	Anywhere in above yards.	
(i) Garages, carports, sheds, and other detached accessory buildings.	Not allowed	Not allowed	Anywhere in that portion of above yards within 30 feet of the rear lot line, provided that such building does not in any case exceed 12 feet in height.	
(j) Unroofed, raised platforms designed to accomodate off-street parking, including ramps and stairways necessary to provide access.	Anywhere in above yard except within five feet of interior side lot line and except as otherwise provided in subsection 7160(k).		Anywhere in that portion of above yards within 30 feet of the rear lot line, provided that such building does not in any case exceed 12 feet in height, except as otherwise provided in subsection 7160(k).	

Facilities	Front Yard	Side Yard on Street Side of Corner Lot	Side Yard Along Inter- ior Side Lot Line	Rear Yard
(k) Unroofed parking and loading areas.	Not allowed	Not allowed	In any yard or court, except that in all residential zones no unroofed parking space which is located on any lot containing three or more parking spaces, and no unroofed loading berth, shall be located within five feet of any street line or alley.	
(l) Covered, underground or partially excavated structures including, but not limited to garages and basements.	In any yard or court, provided that: 1. The surfaces of such facilities are landscaped or developed as patios or terraces. 2. Such facilities do not extend more than 30 inches above the average adjoining level of finished grade, except that they may extend farther upon the granting of a conditional use permit.			
(m) Fences, screening or retaining walls, and dense hedges.	See Section 7302	Anywhere in that portion of the above yards provided that such facilities shall not exceed five feet in height above the level of any yard, except upon the granting of a conditional use permit, and except as otherwise provided by Section 7300.		
(n) Trees, shrubs, and landscaping, other than dense hedges with a screening effect; sculpture and similar decorations; flagpoles; unroofed patios, driveways; walkways and detached steps; and utility poles and lines.	In any yard except as otherwise provided by Section 7300.			
(o) Swimming Pools.	Not allowed	Not allowed	Anywhere in that portion of the above yards except within three feet of the interior side lot line and rear lot line.	
(p) Signs.	In any yard subject to the applicable limitations on signs.			



## MISCELLANEOUS GENERAL REGULATIONS

### SECTION 7205 ANIMALS.

(a) General Regulations. All animals within the City of Simi Valley shall be kept or maintained in clean and sanitary conditions at all times.

(b) Farm Animals and Fowl, Except Horses.

1. Definition. Farm animals and fowl are defined to include: mules, bovine, donkies, goat, sheep, swine, chickens, ducks, and other similar domesticated farm animals or fowl.
2. Required Distance From Facility Used For Human Habitation. No farm animal or fowl shall be housed, stabled, lodged, maintained, or confined within 40 feet of any facility used for human habitation other than the personal dwelling or residence of the owners or keepers thereof.
3. When Raised For Commerical Purposes. Farm animals and fowl may be raised commercially in the S-1 and R-10 Zones subject to applicable individual Zone Regulations and provided that in no instance shall the lot area be less than two acres.
4. Raised For Non-Commercial Purposes. Farm animals and fowl may be kept as accessory to a principal residential use within the S-1, R-10, and R-20 Zones subject to the provision of 10,000 square feet of lot area for each of the following animal units when raised for recreation, agricultural project, or home occupation purposes, and further subject



to applicable individual Zone Regulations: 1 mule; 1 bovine; 1 donkey; 1 goat; 2 swine; 2 sheep; 24 small caged animals; 10 chickens; 10 ducks; or similar domesticated farm animal or fowl. Notwithstanding the foregoing, a minimum of two acres is required for more than 10 chickens or more than five mules, bovine, donkeys, goats, swine, or sheep. On lots of two acres or more, any number of animals for non-commercial purposes is allowed, subject to the provisions of this Section.

(c) Horses. Horses may be kept as accessory to principal permitted activities only in the S-1 and S-4 Zones, or in those cases when a conditional use permit is required for and granted to Animal Raising Agricultural and Extractive Activities pursuant to the Conditional Use Permit Procedure at Section 8150. In any case, the keeping of horses shall be subject to the Horsekeeping Standards at Section 6268.

(d) Pigeons and Small Birds. The total number of pigeons kept in any S-1 or R-10 Zone shall not exceed five pigeons for each 1500 square feet of lot area or 10 ornamental or song birds for each 1500 square feet of area. Accessory buildings or structures incidental to such use shall not be located less than 10 feet from any property line nor less than 15 feet of any residence, dwelling, or other structure used for human habitation, other than the personal dwelling or residence of the owner or keeper thereof. Such pigeons and birds shall be kept and maintained in a clean and sanitary condition at all times and shall not cause detrimental or injurious conditions to the public health, safety, or general welfare. Pigeons may be kept in excess of the numbers specified within this subsection and within the R-20 and R-30 Zones upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150.

(e) Household Pets.

1. Cats and Dogs. Domestic cats and dogs are permitted as an accessory use for recreational purposes up to a maximum of four in all residential zones except R-60 and R-70 where the maximum number shall be two. Cats and dogs may be kept in excess of the specified maximum upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150. Domestic cats and dogs shall be kept and maintained in a clean and sanitary condition at all times and shall not cause detrimental or injurious conditions to the public health, safety, or general welfare.
2. Other animals commonly kept as household pets, including but not limited to rabbits, mice (domestic), guinea pigs, and turtles, may be kept upon any lot in any zone where the principal activity is residential, so long as such animals do not constitute a public nuisance and are afforded food, care, and sanitary facilities, and so long as the total number of such animals does not exceed four. Such animals may be kept in excess of this number upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150.

SECTION 7210 RESTRICTION ON REMOVAL OF DIRT OR OTHER MINERALS. In all residential zones and in the S-1, S-2, and S-3 Zones, no grading or excavation shall involve the removal of any soil, rock, sand, or other material for purposes of sale, fill, building, or other construction usage off the premises from which removed, unless

a conditional use permit for such removal is granted pursuant to the Conditional Use Permit Procedure at Section 8150. However, excavations in any street, alley, or other public place and excavations for foundations, basements, or cellars for the erection of any buildings for which a building permit has been issued shall be exempt from the above restriction.

SECTION 7220 LIMITATION ON MINING AND QUARRYING. Mining and Quarrying Extractive Activities shall only be carried out on a temporary basis and shall require a conditional use permit granted pursuant to the Conditional Use Permit Procedure at Section 8150.

SECTION 7221 UNDERGROUND UTILITIES. Undergrounding of utility lines, including but not limited to electric lines, communication lines, cable television lines, street lighting power supply lines, and all appurtenances which allow and facilitate the utilization of such utilities within structures and facilities in Commercial, Industrial, Residential, or Special Zones, shall be required for all new development except if a determination is made by the Director, Department of Environmental Affairs, that this requirement is unreasonable by virtue of the temporary nature of the development. Such determination shall be subject to appeal pursuant to the Administrative Appeal Procedure at Section 8100.

SECTION 7222 MODEL HOME REGULATIONS. (Incorporates Simi Valley Model Home Ordinance #192.)

## **LANDSCAPING, BUFFERING, AND SCREENING REGULATIONS**

**SECTION 7300 TITLE AND PURPOSE.** The provisions of Section 7300 through Section 7349 inclusive shall be known as the Landscaping, Buffering, and Screening Regulations. The purpose of these provisions is to prescribe standards for landscaping, buffering, and screening within Simi Valley for the conservation and protection of property through the improvement of the appearance of individual properties, neighborhoods, and the City. These standards shall apply to all zones, except as otherwise specified.

### **SECTION 7301 GENERAL REGULATIONS FOR ALL ZONES.**

(a) **Landscaping Required For Front and Street Side Yards.** All required front and street side yards shall be landscaped, except for necessary driveways and walkways, and except as indicated in Section 7416. Landscaping shall include the planting and maintenance of some combination of trees, ground cover, shrubs, vines, flowers, or lawns. In addition, the combination or design may include natural features such as rock and stone and structural features including but not limited to fountains, reflecting pools, art work, screens, walls, and fences.

(b) **Timing and Maintenance.** All required plantings shall be in place prior to use or occupancy of new structures. All required plantings shall be maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping, buffering, and screening requirements. All required fences and walls shall be permanently



maintained in good condition and, whenever necessary, repaired or replaced. All property shall be maintained in a manner that will not depreciate adjacent property values.

(c) **Prescribed Heights.** The prescribed heights of dense landscaping shall indicate the height to be attained within three years after planting. The height at time of planting may not be more than two feet lower for dense landscaping required to be five or more feet, and not more than one foot lower for dense landscaping for which a height of less than five feet is prescribed. An earthen berm not taller than two feet may count toward the prescribed height of any fence, wall, or dense landscaping.

(d) **Measurement of Prescribed Heights.** The prescribed heights of required landscaping, fences, or walls shall be measured above the actual adjoining level of finished grade, except that where parking, loading, storage, or similar areas, or usable open space, are located above finished grade, the height of landscaping, fences, or walls required to screen such areas or space shall be measured above the adjoining level thereof. When there is a difference in the ground level between two adjoining lots, the height of any wall or fence constructed along any property line should be determined by using the lot level line of the highest contiguous lot.

#### SECTION 7302 MAXIMUM HEIGHT OF FENCES AND DENSE PLANTING WITHIN REQUIRED FRONT YARD.

(a) **Within Required Front Yards on Lots Less Than 20,000 Square Feet.** The maximum height of dense planting, a solid lumber or masonry fence, or wall within

the required front yard area and traffic safety sight area shall be three feet. A "traffic safety sight area" is an area formed by a straight line drawn across the corner of a lot, touching each property line an equal distance from the street corner and touching the corner of the building. The maximum distance from the corner need not be more than 100 feet.

(b) Within Required Front Yards on Lots of 20,000 Square Feet or More. On lots of 20,000 square feet or more, a six foot 50 percent see-through fence may be located within the required front yard, providing that there are no plantings of a height greater than three feet in the required front yard. A "50 percent see-through fence" is a chain link fence or any other type of fencing that permits at least 50 percent open visibility.

(c) Behind Required Front Yards. A maximum five foot fence may be located anywhere behind the required front yard and traffic safety sight line except:

1. Within a 10 foot by 10 foot 45 degree triangle on each side of a driveway on the side property line, dense planting, a solid lumber or masonry fence or wall up to a height of not more than three feet is permitted.
2. Within a 10 foot by 10 foot 45 degree triangle at the rear corner of a reverse corner lot, adjacent to the street, dense planting, a solid lumber or masonry fence or wall up to a height of not more than three feet is permitted.

(d) Exceptions. Erection of a fence, wall, or dense landscaping in excess of three feet in the required front yard area of a lot, except as provided in this section may be permitted upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150.

#### SECTION 7305 GENERAL REQUIREMENTS FOR RESIDENTIAL ZONES.

(a) Screening and Setback of Open Parking and Loading Areas. The following requirements shall apply in all residential zones and to all open off-street parking areas located on any lot containing three or more parking spaces, and to all off-street loading areas on any lot:

1. Such parking and loading areas shall be screened from all abutting lots, except where a maneuvering aisle is shared with the abutting lot, by dense landscaping not less than five feet high and not less than three feet wide or by a solid lumber or masonry fence or wall not less than five feet high.
2. Such parking and loading areas shall be screened from all abutting streets, alleys, paths, and private streets by dense landscaping not less than three feet high and not less than three feet wide.
3. No unroofed parking space or loading berth on such lots shall be located within five feet from any street line or alley.

(b) Screening of Open Storage Areas. All open storage of boats, trailers, building materials, appliances, containerized trash, and similar materials shall be screened from all abutting lots, and streets, alleys, paths, and private streets, by



# I-11: GENERAL BUFFERING REQUIREMENTS IN RESIDENTIAL AND S-2 AND S-3 ZONES

Open storage must be screened from both abutting lots and streets, etc., by five foot screen. Section 7305 (b)

Parking illumination must be nonflashing and directed away from abutting lots and residential units on site. Section 7305 (c)

Open parking must be screened from abutting lots by five foot screen. Section 7305 (a) 1

Open parking must be screened from streets, alleys, etc. by three foot screen. Section 7305 (a) 2

Five foot minimum Section 7305 (a) 3

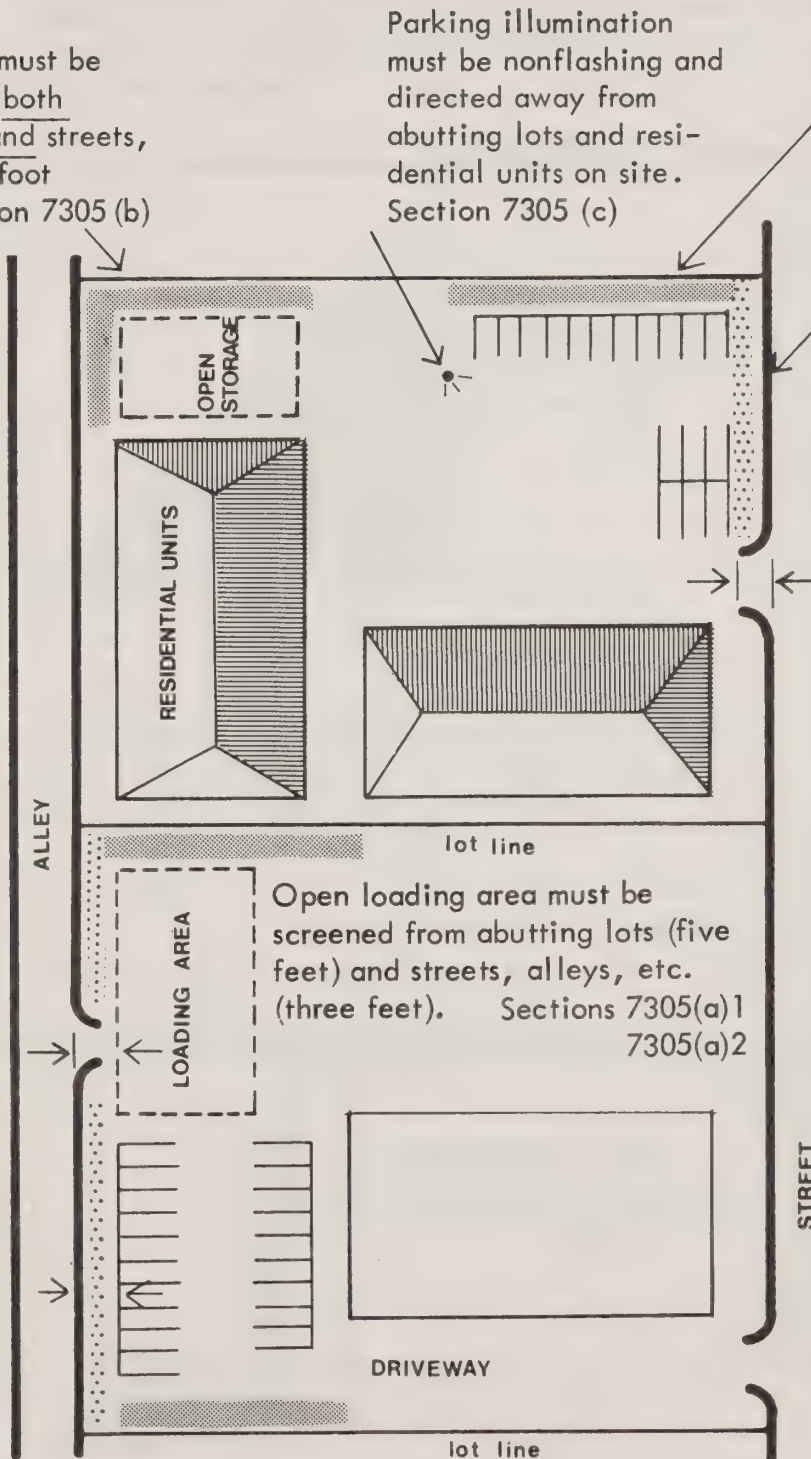
## exceptions:

1. Requirements for parking areas apply only to properties with three or more parking spaces.
2. Screening need not exceed three feet in height in portion of required yard within 10 feet of street.
3. Screening not required if equivalent screening already immediately across lot line.

Five foot minimum  
Section 7305 (a) 3

Five foot minimum  
Section 7305 (a) 3

Open loading area must be screened from abutting lots (five feet) and streets, alleys, etc. (three feet). Sections 7305(a)1 7305(a)2



- FIVE FOOT SCREEN:** solid fence or wall or dense three foot wide landscaping
- THREE FOOT SCREEN:** solid or grille fence or wall or dense three foot wide landscaping





THREE FOOT SCREEN: solid or grille fence or wall or dense three foot wide landscaping



dense landscaping not less than five feet high and not less than three feet wide, or by a solid lumber or masonry fence or wall not less than five feet high.

(c) Control on Artificial Illumination of Parking and Loading Areas. Artificial illumination of all off-street parking areas located on any lot containing three or more parking spaces and all off-street loading areas, and of driveways related thereto, shall be nonflashing and shall be directed away from all abutting lots and from any on-site residential living units so as to eliminate objectionable glare.

#### SECTION 7310 GENERAL REQUIREMENTS FOR COMMERCIAL AND INDUSTRIAL ZONES.

(a) Screening Along Entire Lot Line Abutting Residential Zone. Wherever any lot which is located in any commercial or industrial zone and which is occupied by Commercial, Manufacturing, or Agricultural or Extractive Activities abuts a lot located in any residential zone, it shall be screened from the residential zoned lot, along the entire abutting lot line except where a driveway or maneuvering aisle is shared with the abutting lot, by dense landscaping not less than five feet high and not less than three feet wide or by a solid lumber or masonry fence or wall not less than five feet high.

(b) Screening of Open Parking, Loading, and Storage Areas. All open off-street parking areas located on any lot containing three or more parking spaces, and all open off-street loading, storage, sales, display, service, and processing areas on any lot, shall be:



1. Screened from any Residential Facilities located on any abutting lot, except where a maneuvering aisle is shared with the abutting lot, by dense landscaping not less than five feet high and not less than three feet wide or by a solid lumber or masonry fence or wall not less than five feet high; and
2. Screened from any abutting lot located in any residential zone, except where a maneuvering aisle is shared with the abutting lot, by dense landscaping not less than five feet high and not less than three feet wide or by a solid lumber or masonry fence or wall not less than five feet high; and
3. Except in the case of sales, display, or service areas occupied by Automotive Servicing Commercial Activities, screened from that portion of any street, alley, path, or private street, directly across from which or within 150 feet is a lot in any residential zone, by dense landscaping not less than three feet high and not less three feet wide or by a solid or grille, lumber or masonry fence or wall not less than three feet high.

(c) Control on Artificial Illumination in Certain Situations. All artificial illumination which is readily visible from any of the Residential Facilities or residentially zones lots referred to in Section 7310(b) shall be nonflashing and shall be directed away from said facilities and lots so as to eliminate objectionable glare.

## SECTION 7315 SPECIAL LANDSCAPING, BUFFERING, AND SCREENING REQUIREMENTS.

(a) **Required Screening Materials.** When dense landscaping to a specific height is prescribed, the landscaping shall be of a type which will provide a year-round barrier at the prescribed height, and shall be so spaced that vision of objects on the opposite side is effectively eliminated.

(b) **Required Parkway Trees.** All new developments with public or private street frontage shall be required to provide one acceptable parkway tree of a minimum 15 gallon size, or one acceptable parkway tree of a minimum 15 gallon size for each 60 feet of public or private street frontage, whichever is greater, for parkway planting. The required number of trees shall be calculated so that any fractional street frontage greater than 60 feet but less than 120 feet requires the provision of an additional tree. Such trees and the manner of their planting shall be approved by the Design Review Board.

(c) **Required Trees in Residential Zones.** All new dwelling units constructed within Simi Valley shall provide two trees per dwelling unit within the site area in which development occurs. "Site area" includes both individual privately-owned lots as well as commonly owned land areas. Required trees must be of a minimum 15 gallon size, and of a species and spacing approved by the Design Review Board. Trees existing within the site area may be included in the computation of the number of trees required by this subsection with the approval of the Design Review Board. Up to one-fourth of the trees required by this subsection may be used for parkway planting.

(d) **Required Trees in Commercial Zones Parking Areas.** For each six off-street parking spaces provided in commercial zones at least one tree shall be provided. Such tree(s) shall be of a minimum 15 gallon size appropriately protected from vehicular damage. Trees required under this subsection shall be in addition to those required as parkway trees.

(e) **Location of Detached Accessory Buildings on Corner Lot Abutting a Key Lot in a Residential Zone.** (See illustration 1-12.) In all zones, on any reversed corner lot which abuts a key lot located in any residential zone, no detached accessory building shall be located within five feet from the abutting side lot line of the key lot. No detached accessory building on such lot shall be located closer to the street line on which the key lot fronts than a distance equal to the minimum front yard depth required on the key lot, unless the accessory building is at least 35 feet from the side lot line of the key lot. An accessory building shall be considered detached from any principal building on the same lot if the only roofed attachment thereto consists of a breezeway or similar structure exceeding neither 12 feet in height nor eight feet in width.

(f) **Other Provisions.** Also applicable are the special provisions, if any, set forth in the individual Zone Regulations with respect to landscaping, buffering, and screening, and controls on parking, loading, and other specified uses; the requirements set forth for stables, corrals, and similar facilities; and the screening and other standards prescribed for required usable open space.

**SECTION 7316 EXCEPTIONS TO REQUIREMENTS.** The landscaping, buffering, and screening requirements set forth in these Regulations shall be subject to the following

exceptions:

(a) Equivalent Screening on Abutting Lot. Prescribed fences, walls, or dense landscaping need not be provided along a lot line if a building, fence, wall, or dense landscaping of at least equivalent height, opacity, and maintenance exists immediately abutting and on the opposite side of said lot line.

(b) Window on Abutting Lot. Prescribed fences, walls, or dense landscaping need not be higher than three feet when located opposite and within three feet of any window in a Residential Facility on an abutting lot, other than a window in a basement or cellar, or within three feet of any portion of the same story of the wall containing such window and lying within 10 feet in either direction from said window.

(c) Adjacent to Excavated Parking or Loading Area. Where an off-street parking or loading area, or a side thereof, is excavated below finished grade, the mean depth of excavation may be deducted from the prescribed height of fences, walls, or dense landscaping required adjacent thereto.



## **USABLE OPEN SPACE REGULATIONS**

**SECTION 7350 TITLE AND PURPOSE.** The provisions of Section 7350 through Section 7399 inclusive shall be known as the Usable Open Space Regulations.

It is the intent of these provisions to prescribe standards for the development and maintenance of outdoor areas which are accessory to Residential Facilities and which fulfill the need for outdoor leisure and recreation, both of an active and passive nature.

**SECTION 7351 DEFINITION OF USABLE OPEN SPACE.** Usable open space refers to one or more open areas accessory to Residential Facilities the purpose of which is to provide an outdoor area designed for outdoor living and recreation, including such areas on the ground and on roofs, porches, decks, and balconies, which are safe and suitably surfaced, and which conform to the location, minimum dimensions and area, permitted obstructions, access, and other requirements of the Usable Open Space Regulations. Such areas shall not be located in any required front or street-side yard, except as intrusions into such yards are allowed by Section 7160.

**SECTION 7352 MAINTENANCE OF USABLE OPEN SPACE.** Usable open space areas that are landscaped or in a natural open condition shall be managed and maintained to insure continuance in optimum condition.

**SECTION 7353 MINIMUM REQUIRED USABLE OPEN SPACE.** Except for R-10, R-20, and R-30 Zones, and except as otherwise prescribed in individual Zone Regulations or within this Section, a minimum of five hundred square feet of usable open

space shall be required for each dwelling unit. Usable open space may be private or group, and may include, but is not limited to, swimming pools, recreation courts, patios, open landscaped areas, and greenbelts with pedestrian walkways and equestrian and bike trails.

SECTION 7354 SUBSTITUTION OF PRIVATE USABLE SPACE FOR GROUP USABLE SPACE. Each square foot of private usable open space conforming to the provisions of Section 7356 shall be considered equivalent to two square feet of required group usable open space and may be so substituted, except that the minimum group usable open space on lots containing Residential Facilities with two or more living units may not be less than 150 square feet per dwelling unit.

SECTION 7355 GROUP USABLE OPEN SPACE STANDARDS. All group usable open space shall be permanently maintained, shall be located on the same lot as the living units it serves, and shall conform to the following standards:

(a) Usability. A surface shall be provided which allows convenient use for outdoor activities. Such surface shall be any practicable combination of lawn, garden, flagstone, wood planking, concrete, asphalt, or other serviceable, dustfree surfacing. Slope shall not exceed 10 percent. Off-street parking and loading areas, driveways, and service areas shall not be counted as usable open space. Adequate safety railings or other protective devices shall be erected wherever necessary for space on a roof, but shall not be more than four feet high.

(b) Location. The space may be located anywhere on the lot within 20 feet of the living units served, except that not more than 20 percent of the required area shall be located on the roof of any building other than an attached garage or carport.

(c) Size and Shape. An area of contiguous space shall be of such size and shape that a rectangle inscribed within it shall have no dimension less than 15 feet. When space is located on a roof, the area occupied by vents or other structures which do not enhance usability of the space shall not be counted toward the above dimension.

(d) Accessibility. The space shall be accessible to all the living units on the lot.

(e) Openness. There shall be no obstructions above the space except for devices to enhance its usability.

(f) Ground-level space shall be screened from abutting lots, streets, alleys, paths, and abutting private ways by a building wall, by dense landscaping not less than three feet high and not less than three feet wide, or by a solid or grille, lumber or masonry fence or wall not less than three feet high, subject to the standards, conditions, and exceptions in the Landscaping, Buffering, and Screening Regulations at Section 7300. Fences and walls shall not be so constructed as to interfere with the access required by applicable fire prevention regulations.

SECTION 7356 PRIVATE USABLE OPEN SPACE STANDARDS. All required private usable open space shall be permanently maintained; shall be located, except as otherwise provided in Section 7356(b), on the same lot as the living unit it serves; and shall conform to the following standards:



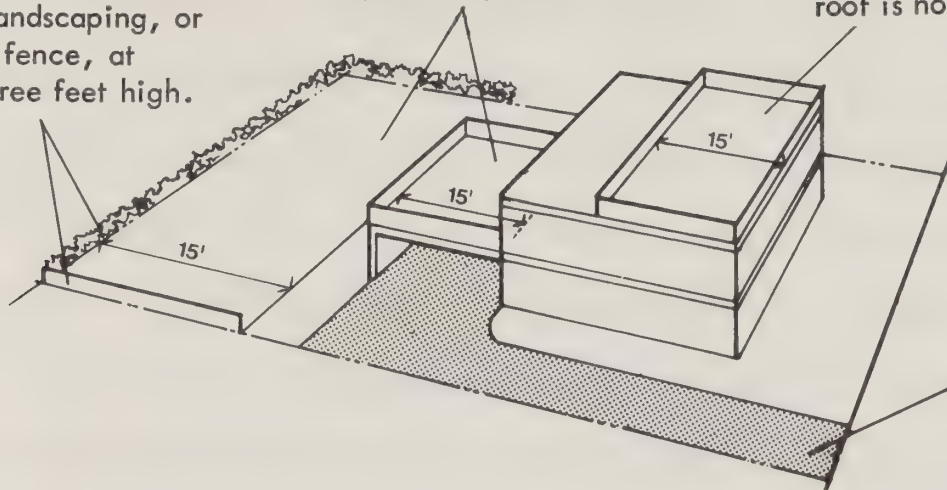
# I-13: USABLE OPEN SPACE

## GROUP USABLE OPEN SPACE SECTION 7355

Ground-level space must be screened from streets and adjacent lots by dense landscaping, or wall or fence, at least three feet high.

Must be lawn or other appropriate dust-free surface. (Swimming pools may count).

Only 20 percent of the required space may be on a roof other than a roof of an attached garage or carport. Railings (four foot maximum) must be provided if roof is not used.



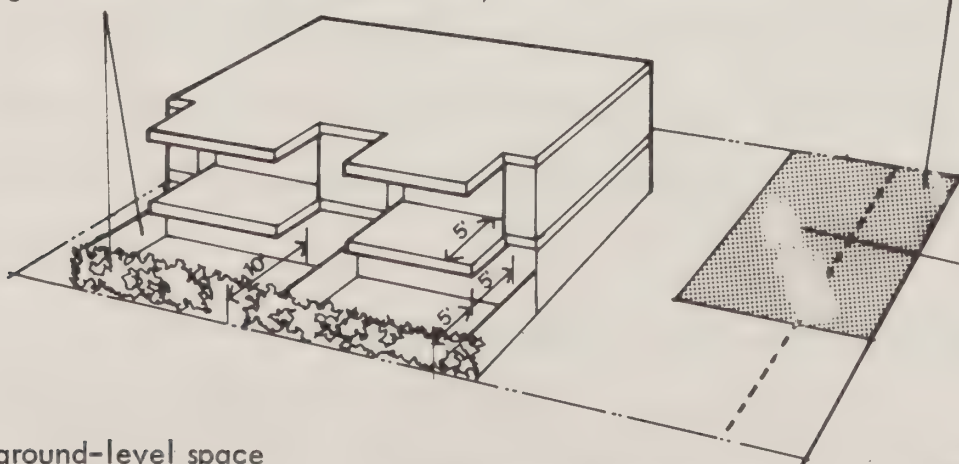
Driveways and service or parking areas do not count.

Group usable open space must be accessible to all living units on the lot. It must contain a rectangle with a 15 foot minimum dimension and be within 20 feet of units served.

## PRIVATE USABLE OPEN SPACE SECTION 7356

Ground-level space must be screened from surrounding land and streets by dense landscaping, or wall or fence, at least five feet high (lower screening allowed in some view situations).

Space within required front yards does not count.



Driveways and service or parking areas do not count.

Above-ground-level space must contain a rectangle with five foot minimum dimension. The face of a balcony must be five feet from a side lot line (except on the street side of a corner lot).

Ground-level space must contain a rectangle with a 10 foot minimum dimension. Private balcony above may cover 50 percent of a ground-level space.

Private usable open space must be accessible to a single living unit on the same level or within four feet of living-unit level.





(a) Usability. A surface shall be provided which allows convenient use for outdoor activities. Such surface shall be any practicable combination of lawn, garden, flagstone, wood planking, concrete, asphalt, or other serviceable, dustfree surfacing. Slope shall not exceed 10 percent. Off-street parking and loading areas, driveways, and service areas shall not be counted as usable open space. Adequate safety railings or other protective devices shall be erected wherever necessary for space on a roof or balcony, but shall not be more than four feet high.

(b) Location. The space may be located anywhere on the lot, except that above-ground-level space shall not be located within five feet of an interior side lot line. All spaces shall be adjacent to, and not more than four feet above or below the floor level of, the living unit served.

(c) Size and Shape. An area of contiguous ground-level space shall be of such size and shape that a rectangle inscribed within it shall have no dimension less than 10 feet. An area of above-ground-level space shall be of such size and shape that a rectangle inscribed within it shall have no dimension less than five feet. When space is located on a roof, the area occupied by vents or other structures which do not enhance usability of the space shall not be counted toward the above dimension.

(d) Accessibility. The space shall be accessible to only one living unit, by a doorway to a habitable room or hallway.

(e) Openness. There shall be no obstructions over ground-level space except for devices to enhance its usability and except that not more than 50 percent of the

space may be covered by a private balcony projecting from a higher story. Above ground-level space shall have at least one exterior side open and unobstructed, except for incidental railings or balustrades, for eight feet above its floor level.

(f) Enclosure. Ground-level space shall be screened from abutting lots, streets, alleys, and paths, from abutting private ways, and from other areas on the same lot by a building wall, by dense landscaping not less than five feet high and not less than three feet wide, or by a solid or grille, lumber or masonry fence or wall not less than five feet high, subject to the standards, conditions, and exceptions in the Landscaping, Buffering, and Screening Regulations at Section 7300. However, when such screening would impair a beneficial outward and open orientation or view, with no building located opposite and within 50 feet from such required screening, as measured perpendicularly therefrom in a horizontal plane, the above prescribed height may be reduced to three feet. Fences and walls shall not be so constructed as to interfere with the access required by applicable fire prevention regulations.

## ENVIRONMENTAL PROTECTION REGULATIONS

SECTION 7400 TITLE AND PURPOSE. The provisions of Section 7400 through Section 7449 shall be known as the Environmental Protection Regulations. The purpose of these provisions is to promote the public safety and protect the visual quality of the natural environment of the City of Simi Valley.

### Hillside Regulations

#### SECTION 7405 APPLICATION OF HILLSIDE REGULATIONS TO INDIVIDUAL ZONES.

The provisions of Section 7405 through Section 7414, inclusive, shall be known as the Hillside Regulations and shall apply to all zones within the City of Simi Valley in areas with a slope of 10 percent or more.

SECTION 7406 RESIDENTIAL STANDARDS. Minimum land area per dwelling unit shall be required in the following amounts for all residential development on lands with a slope of 10 percent or more. Percent slope is to be determined by dividing the change in elevation between contours by the horizontal distance between the respective contours.

<u>Percent Slope</u>	<u>Land Area Required Per Dwelling Unit</u>
0 - 10 percent	Underlying zoning applies
10 - 15 percent	21,500 square feet per gross acre (2 units/acre)
15 - 20 percent	43,000 square feet per gross acre (1 unit/acre)
20 percent or more	400,000 square feet per gross acre (1 unit/40 acres)



SECTION 7407 NONRESIDENTIAL STANDARDS. Except for the special allowance provided by Section 7408, minimum land area requirements for Nonresidential Facilities shall be the same as those specified in Section 7406, calculated so that every 1200 square feet of enclosed or covered ground level nonresidential floor area shall be equivalent to one dwelling unit.

SECTION 7408 SPECIAL ALLOWANCE FOR NONRESIDENTIAL FACILITY. Any development subject to the conditions of Section 7407 may be allowed up to 2400 square feet of enclosed or covered recreation space if such space is intended for use primarily by residents of the project and constitutes less than five percent of the total ground floor area of the development.

SECTION 7409 EXEMPTION FOR CERTAIN ACTIVITIES. Community Assembly Civic Activities and Utility and Vehicular Civic Activities shall be exempt from the Standards of Section 7406 and Section 7407.

SECTION 7410 DETERMINATION OF PERMITTED LEVELS OF DEVELOPMENT.

(a) Base Map Requirements. The applicant shall submit a base map of the site, at a scale of one inch per 100 feet or larger, with a minimum contour interval of 10 feet, showing slope bands in the ranges of 1 – 10 percent, 10.01 – 15 percent, 15.01 – 20 percent, 20.01 – 40 percent, and over 40 percent. The map shall include, or be accompanied by, a tabulation of the land area in square feet by the slope categories specified. The method for computing percent slope and area by percent slope shall be sufficiently described and presented so that a review can be readily made. The base map shall include all adjoining properties within 150 feet of the site boundaries.

(b) Calculation of Dwelling Units or Ground Floor Area. The total of allowable residential dwelling units or nonresidential ground floor area shall be calculated based on the total land area within each slope category, pursuant to Sections 7406 and 7410(a), except under the following circumstances:

1. All areas with a slope of 40 percent or more shall be considered unbuildable for reasons of public safety and shall be excluded from calculations of total allowable density.
2. All land areas, regardless of slope, which are hazardous to life and property due to soils, geological, seismic or hydrological factors, shall be excluded from calculations of total allowable density except where such hazards can be eliminated with minor modification to existing land forms. Prior to final determination of the allowable level of development, applicant shall submit a soils and geological analysis prepared by a certified engineering geologist which documents the location of lands considered too hazardous for development.
3. All lands required for new or expanded rights-of-way for roadways intended to provide access to the proposed development shall be excluded from calculations of total allowable density.

(c) Land Areas Included in Calculations. Except for exclusions specified under Section 7410(b) 1, 2, 3, all land areas, including group open space, required usable open space, park and recreation areas developed by the applicant and designed principally for use by occupants of the project, and dedicated or reserved natural areas

within the site shall be included in the total land area for purposes of calculating the permitted level of development.

(d) Land Areas Included in Calculations but Unbuildable. All land areas to which access can be provided only by constructing a roadway traversing slopes in excess of 30 percent for a total lineal distance of 300 feet or which can be served by a cul-de-sac in excess of 800 feet shall be considered unbuildable, but may be included in calculations of total allowable density.

## **Seismic Fault and Fracture Area Regulations**

### **SECTION 7415 APPLICATION OF SEISMIC FAULT AND FRACTURE AREA REGULATIONS.**

The provisions of Section 7415 through Section 7419 shall be known as the Seismic Fault and Fracture Areas Regulations and shall apply to all areas designated by the City of Simi Valley as Fault and Associated Fracture Areas.

**SECTION 7416 PERMITTED USES.** Except as modified by Section 7418, One Family and Two-Family detached Residential Facilities and any Open Nonresidential Facility shall be permitted within Fault and Associated Fracture Areas, provided that the applicant for any structural development within said areas demonstrates through detailed geologic site investigations and engineering design that proposed sites are suitable for the use proposed, and that direct damage to such uses or indirect threat to public health and safety would be unlikely in the event of a major seismic event.

**SECTION 7417 CONDITIONALLY PERMITTED ACTIVITIES.** The following activities, as described in the Use Classifications at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 7150 and further conditioned on a demonstration that reasonable alternative routes are not available, that the activity is of overriding public need and benefit, and, if permitted, that the design of such activities shall include provisions for valves, switches, and other equipment appropriate to ensure minimal adverse impact on adjacent and surrounding areas and to facilitate restoration of service in the event of a major fault displacement.



(a) Civic Activities

Essential Service

SECTION 7418 PROHIBITION ON LOCATION OF USE. No structure for human occupancy shall be permitted on or across the trace of an active fault. The area within 50 feet of any trace of an active or potentially active fault shall be assumed to be underlain by active or potentially active branches of that fault unless and until proven otherwise through a geological analysis prepared by a geologist registered in the State of California.

## Noise Regulations

SECTION 7420 GENERAL NOISE REGULATIONS. The provisions of Section 7420 through Section 7430 inclusive shall be known as the Noise Regulations and shall apply throughout the City of Simi Valley.

(a) General Application. Notwithstanding any other provision within the Noise Regulations, it shall be unlawful for any person to wilfully make or continue, or cause to be made or continued, any loud, unnecessary, or unusual noise which disturbs the peace or quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area.

(b) General Standards. The standards which shall be considered in determining whether a violation of the provisions of the Noise Regulations exists shall include, but not be limited to, the following:

1. The level of the noise;
2. The intensity of the noise;
3. Whether the nature of the noise is usual or unusual;
4. Whether the origin of the noise is natural or unnatural;
5. The level and intensity of the background noise, if any;
6. The proximity of the noise to residential sleeping facilities;
7. The nature and zoning of the area within which the noise emanates;
8. The density of the inhabitation of the area within which the noise emanates;
9. The time of the day or night the noise occurs;

10. The duration of the noise;
11. Whether the noise is recurrent, intermittent, or constant; and
12. Whether the noise is produced by a commercial or noncommercial activity.

## SECTION 7421 DEFINITIONS

(a) **Ambient Noise.** Ambient noise is the composite of sounds associated with a given environment. Ambient noise level is the level obtained when the noise level is averaged over a period of 15 minutes without inclusion of noise from isolated identifiable sources, at the location and time of day near that at which a comparison is to be made.

(b) **Decibel.** Decibel (dB) shall mean a unit of level which denotes the ratio between two quantities which are proportional to power; the number of decibels corresponding to the ratio of two amounts of power is ten times the logarithm to the base ten of this ratio.

(c) **Emergency Work.** Emergency work shall mean work made necessary to restore property to a safe condition following a public calamity or work required to protect persons or property from an imminent exposure to danger or work by private or public utilities when restoring utility service.

(d) **Frequency.** Frequency of a function periodic in time shall mean the reciprocal of the smallest increment of time for which the function repeats itself. The unit is the cycle per second or hertz.

(e) **Sound Level.** Sound level (noise level) in decibels is the sound measured

using the A weighting network of a sound level meter. Slow response of the sound level meter needle shall be used except where the sound is impulsive or rapidly varying in nature in which case fast response shall be used.

(f) Sound Level Meter. Sound level meter shall mean an instrument including a microphone, an amplifier, an output meter, and frequency weighting networks for the measurement of sound levels which satisfies the pertinent requirements in American National Standards Institute's Specification S1.4 - 1971 or the most recent revision thereof for type S-2A general purpose sound level meters.

(g) Motor Vehicles. Motor vehicles shall include, but not be limited to, minibikes and go-carts.

(h) Sound Amplifying Equipment. Sound amplifying equipment shall mean any machine or device for the amplification of the human voice, music, or any other sound. Sound amplifying equipment shall not include standard automobile radios when used and heard only by the occupants of the vehicle in which the automobile radio is installed. Sound amplifying equipment shall not include warning devices on authorized emergency vehicles or horns or other warning devices on any vehicle used only for traffic safety purposes.

(i) Sound Truck. Sound truck shall mean any motor vehicle, or any other vehicle regardless of motive power, whether in motion or stationary, having mounted thereon, or attached thereto, any sound amplifying equipment.



(j) **Commercial Purpose.** Commercial purpose shall mean and include the use, operation, or maintenance of any sound amplifying equipment for the purpose of advertising any business, or any goods, or any services, or for the purpose of attracting the attention of the public to, or advertising for, or soliciting patronage or customers to or for any performance, show, entertainment, exhibition, or event, or for the purpose of demonstrating such sound equipment.

(k) **Noncommercial Purpose.** Noncommercial purpose shall mean the use, operation, or maintenance of any sound equipment for other than a commercial purpose. Noncommercial purpose shall mean and include, but shall not be limited to, civic activities.

(l) **Supplementary Definitions of Technical Terms.** Definitions of technical terms not defined herein shall be obtained from the American National Standards Institute's Acoustical Terminology S1-1-1971 or the most recent revision thereof.

**SECTION 7422 SOUND LEVEL MEASUREMENT CRITERIA.** All sound level measurement shall be measured with a sound level meter using the "A" weighting.

**SECTION 7423 PRESUMED AMBIENT NOISE LEVEL.** Ambient noise level shall mean the higher of either the actual measured ambient noise level, or presumed ambient noise level as determined from the following chart:

ZONE	TIME	SOUND LEVEL A, DECIBELS
R-10, R-20, R-30	10 pm to 7 am	35
R-40, R-50, R-80	7 am to 7 pm	50
S-1	7 pm to 10 pm	45
R-60, R-70	10 pm to 7 am	45
S-2	7 am to 10 pm	50
C-10, C-20		
C-30, C-40, C-50	10 pm to 7 am	55
C-60	7 am to 10 pm	60
I-10, I-20		

## SECTION 7425 SPECIAL NOISE SOURCES

### (a) Radios, Television Sets, and Similar Devices

1. It shall be unlawful for any person within any residential zone of the City to use or operate any radio receiving set, musical instrument, phonograph, television set, or other machine or device for the producing or reproducing of sound in such a manner as to disturb the peace, quiet, and comfort of neighboring residents or any reasonable person of normal sensitiveness residing in the area.
2. Any noise level exceeding the ambient noise level at the property line of any property (or, if a condominium or apartment house, within any adjoining apartment) by more than five decibels shall be deemed to be prima facie evidence of a violation of the provisions of this section.

(b) Hawkers and Peddlers. It shall be unlawful for any person within the City to sell anything by outcry within any area of the City zoned for residential uses. The provisions of this section shall not be construed to prohibit the selling by outcry of merchandise, food, and beverages at authorized sporting events, parades, fairs, circuses, and other similar authorized public events.

(c) Drums. It shall be unlawful for any person to use any drum or other instrument or device of any kind for the purpose of attracting attention by the creation of noise within the City. This subsection shall not apply to any person who is a participant in a school band or parade or who has been otherwise duly authorized to engage in such conduct.

(d) Community Assembly and Health Care Civic Activities. It shall be unlawful for any person to create any noise on any street, sidewalk, or public place adjacent to any Community Assembly Civic Activity or Health Care Civic Activity while the same is in use, which noise unreasonably interferes with the workings of such Civic Activities, provided conspicuous signs are displayed in such streets, sidewalk or public place indicating the presence of such Civic Activities.

(e) Animals and Fowl. No person shall keep or maintain, or permit the keeping of, upon any premises owned, occupied, or controlled by such person any animal or fowl otherwise permitted to be kept which, by any sound, cry, or behavior, shall cause annoyance or discomfort to a reasonable person of normal sensitiveness in any residential zone.

(f) Machinery, Equipment, Fans, and Air Conditioning. It shall be unlawful for any person to operate any machinery, equipment, pump, fan, air conditioning apparatus, or similar mechanical device in any manner so as to create any noise which would cause the noise level at the property line of any property to exceed the ambient noise level by more than five decibels. For the purposes of this subsection "noise level" shall mean measured sound level with the following values added as corrections for time duration and character of the noise:

1. Add one and only one of the following corrections to the ambient noise levels for time duration:

Noise persists for more than five minutes out of any one hour. 0 dBA

Noise persists for more than one minute but not more than five minutes out of any one hour. -5 dBA



Noise persists for one minute or less out of any one hour. - 10 dBA

2. Add one and only one of the following corrections for unusual character:

Noise has no unusual character. 0 dBA

Noise contains a piercing pure tone. + 5 dBA

Noise is impulsive or rattling in nature. + 5 dBA

Noise carries speech, music, or other information content. + 5 dBA

SECTION 7426 CONSTRUCTION OF BUILDINGS AND PROJECTS. It shall be unlawful for any person within a residential zone, or within a radius of 500 feet therefrom, to operate equipment or perform any outside construction or repair work on buildings, structures, or projects or to operate any pile driver, power shovel, pneumatic hammer, derrick, power hoist, or any other construction type device in such a manner that a reasonable person of normal sensitiveness residing in the area is caused discomfort or annoyance unless beforehand a permit therefor has been duly obtained from

No permit shall be required to perform emergency work as defined in Section 7421(c).

#### SECTION 7427 VEHICLES

(a) Vehicle Repairs. It shall be unlawful for any person within any residential area of the City to repair, rebuild, or test any motor vehicle in such a manner that a reasonable person of normal sensitiveness residing in the area is caused discomfort or annoyance.

(b) **Motor Driven Vehicles.** It shall be unlawful for any person to operate any motor driven vehicle within the City in such a manner that a reasonable person of normal sensitiveness residing in the area is caused discomfort or annoyance; provided, however, any such vehicle which is legally operated upon any public highway, street, or right-of-way shall be excluded from such provision.

## SECTION 7428 AMPLIFIED SOUND

(a) **Registration Required.** It shall be unlawful for any person, other than personnel of law enforcement or governmental agencies, to install, use, or operate within the City a loudspeaker or sound amplifying equipment in a fixed or movable position or mounted upon any sound truck for the purposes of giving instructions, directions, talks, addresses, lectures, or transmitting music to any persons or assemblages of persons in or upon any street, alley, sidewalk, park, place, or public property without first filing a registration statement and obtaining approval thereof as set forth herein.

### (b) **Registration Requirements and Duties**

1. **Registration statements: Filing.** Every user of sound amplifying equipment shall file a registration statement with the Simi Valley Police Department ten days prior to the date on which the sound amplifying equipment is intended to be used, which statement shall contain the following information:
  - The name, address and telephone number of both the owner and user of the sound amplifying equipment;
  - The maximum sound producing power of the sound amplifying equipment

which shall include the wattage to be used, the volume in decibels of sound which will be produced, and the approximate distance for which sound will be audible from the sound amplifying equipment;

- The license and motor number if a sound truck is to be used;
- A general description of the sound amplifying equipment which is to be used; and
- Whether the sound amplifying equipment will be used for commercial or noncommercial purposes.

2. Registration Statements: Approval. The Simi Valley Police Department shall return to the application an approved certified copy of the registration statement unless it is found that:

- The conditions of the motor vehicle movement are such that uses of the equipment would constitute a detriment to traffic safety; or
- The conditions of pedestrian movement are such that use of the equipment would constitute a detriment to traffic safety; or
- The registration statement required reveals that the applicant would violate the provisions set forth in these noise regulations or any other provisions of the Zoning Regulations.

3. Disapproval. In the event the registration statement is disapproved,

the Simi Valley Police Department shall endorse upon the statement reasons for disapproval and return it forthwith to applicant.

(c) Appeals. Any person aggrieved by disapproval of a registration statement may appeal by complying with the provisions of Section of the relating to appeals.

(d) Regulations. The commercial and noncommercial use of sound amplifying equipment shall be subject to the following regulations:

1. The only sounds permitted shall be either music or human speech, or both.
2. The operation of sound amplifying equipment shall only occur between the hours of 8 a.m. and 7 p.m. each day except on Sundays and legal holidays. No operation of sound amplifying equipment for commercial purposes shall be permitted on Sundays or legal holidays. The operation of sound amplifying equipment for noncommercial purposes on Sundays and legal holidays shall only occur between the hours of 10 a.m. and 6 p.m.
3. Sound level emanating from sound amplifying equipment shall not exceed 15 decibels above the ambient noise level.
4. Notwithstanding the provisions of Section 7427(d)3, sound amplifying equipment shall not be operated within 200 feet of Community Assembly Civic Activities or Health Care Civic Activities.
5. In any event, the volume of sound shall be so controlled that it will not be unreasonably loud, raucous, jarring, disturbing, or a nuisance to reasonable persons of normal sensitiveness within the area of audibility.



## **Performance Standards**

SECTION 7430 TITLE AND PURPOSE. The provisions of Section 7430 through Section 7439 inclusive shall be known as the Performance Standards. It is the purpose of these provisions to protect properties and persons from nuisances and hazards, and to establish standards to control dangerous or objectional environmental effects of any activity. Except as noted, these provisions shall apply to all uses of property in all zones.

### **SECTION 7431 GENERAL REGULATIONS.**

(a) Prohibition of Nuisances and Hazards. No land or building in any zone shall be used or occupied in any manner so as to create any dangerous, injurious, noxious, or otherwise objectionable fire, explosive, or other hazard; noise or vibration, smoke, dust, odor, or other form of air pollution; heat, cold, dampness, electrical, or other disturbance; glare, liquid or solid refuse or wastes; or other substance, condition, or element in such a manner or in such amount as to adversely affect the surrounding area or adjoining premises; provided, that any use permitted or not expressly prohibited by the Performance Standards may be undertaken and maintained if it conforms to regulations limiting dangerous and objectionable elements at the point of the determination of their existence.

(b) Existing Activities. Activities existing on the effective date of the Zoning Regulations, or of a subsequent rezoning or other amendment thereto applying more restrictive performance standards to such activities, shall not be required to change their operations to comply with the Performance Standards. However, their operations

shall not be so changed as to result in a greater degree of nonconformity with respect to these Standards.

(c) **Proof of Compliance.** The Director of the Department of Environmental Affairs may require the applicant for a building permit or business license to submit such information with respect to proposed machinery, processes, products, or environmental effects as may be necessary to demonstrate the ability of the proposed activities to comply with applicable performance standards. Such required information may include reports by expert consultants. Any such requirement, and any determination by the Director as to sufficiency of proof, may be appealed pursuant to the Administrative Appeal Procedure at Section 8100.

(d) **Enforcement.** Even though a permit or license to show compliance with Performance Standards may not be required for a particular use, initial and continued compliance with performance standards is required of every use, and provisions for enforcement of continued compliance with performance standards shall be invoked by the building inspector against any use if there are reasonable grounds to believe that performance standards are being violated by such use.

(e) **Measurement.** When measurements are necessary, level of dangerous or objectionable environmental effects shall be measured in accordance with accepted engineering practices. Measurements necessary for enforcement shall be taken at different points in different zones, as follows:

1. In any Zone except the I-20 Zone: At or beyond any lot line of the lot containing the Facility or Activity.

2. In the I-20 Zone: 500 feet from the Facility or Activity, or at the boundary of the zone, whichever is closer to the Facility or Activity.

#### SECTION 7432 PERFORMANCE OF STANDARD REGULATIONS.

- (a) Fire and Explosion Hazards. All activities involving and all storage of flammable or explosive materials shall be provided at any point with adequate safety devices against the hazard of fire and explosion and adequate fire-fighting and fire suppression equipment and devices, standard in the industry. Burning of waste materials in open fire is prohibited at any point.
- (b) Fissionable, Radioactivity or Electrical Disturbance. No activities shall be permitted which utilize fissionable or radioactive materials if their use results at any time in the release or emission of any fissionable or radioactive material into the atmosphere, the ground, or sewerage systems, and no activities shall be permitted which emit electrical disturbance affecting the operation at any point of any equipment other than that of the creator of such disturbance.
- (c) Glare, Humidity, Heat, and Cold. No direct or sky-reflected glare, whether from floodlights or from high temperature processes, or humidity, heat, or cold shall be produced which is perceptible without instruments by the average person at the points of measurement specified in Section 7431(e).
- (d) Liquid and Solid Wastes. No discharge at any point into any public sewer, private sewage disposal system, or stream, or into the ground, of any material of such nature or temperature as can contaminate any water supply, interfere with bacterial processes in sewage treatment, or otherwise cause the emission of dangerous or

offensive elements, shall be permitted, except in accord with standards approved by the California Department of Public Health or such other governmental agency as shall have jurisdiction of such activities.

(e) Noise. See Section 7420.

(f) Odors. No emission shall be permitted of odorous gasses or other odorous matter in such quantities as to be readily detectable by the average person at the points of measurement specified in Section 7431(e).

(g) Particulate Matter and Air Contaminants. No emissions, including but not limited to fly ash, dust, fumes, vapors, gasses, and other forms of air contaminants, shall be permitted from any Facility or Activity which are readily detectable without instrument by the average person at the points of measurement specified in Section 7431(e), or which can cause any damage to health, animals, vegetation, or other forms of property, or which can cause any excessive soiling, at any point.

(h) Smoke. No emission shall be permitted at any point of visible grey smoke of a shade equal to or darker than Ringlemann number 2 or its equivalent opacity for more than three minutes in any one hour period, and visible smoke as dark as Ringlemann number 1 or its equivalent opacity for more than an additional seven minutes in any one-hour period. Darker or more opaque smoke is prohibited at any time.

(i) Vibration. No ground vibration shall be permitted which is discernable without instruments to the average person at the points of measurement specified in Section 7431(e). Ground vibration caused by motor vehicles, trains, aircraft, and temporary construction or demolition work is exempted from this standard.



## **Tree Preservation Regulations**

SECTION 7440 TITLE AND PURPOSE. The provisions of Section 7440 through Section 7444 shall be known as the Tree Preservation Regulations. The purpose of these provisions is to preserve and protect trees within the City of Simi Valley which directly and indirectly prevent erosion, landslides, and flood hazards; reduce runoff; provide windbreaks and air pollution control; serve as nesting and cover for insect-controlling birds; and enhance property and the local economy by substantially improving the visual quality of Simi Valley.

SECTION 7441 PERMIT REQUIRED FOR ALTERATION OF CERTAIN TREES. It shall be unlawful for any person, group of persons, governmental department, or other legal entity or agent of the foregoing to alter, move, or remove any of certain trees specified within this Section without first obtaining a permit for such alteration from the Department of Environmental Affairs. Alteration shall include any action that may reasonably be interpreted as diminishing the vigor of certain trees by cutting or pruning, or by filling, surfacing, compacting, or changing the drainage pattern of the soil. Owners of property on which Heritage or Significant trees exist, as defined in this Section, shall be notified in writing of such designation by the Department of Environmental Affairs. Permits shall be required for any alteration to the following:

(a) Heritage Trees. "Heritage tree" shall mean any tree in any location within the City of Simi Valley specifically designated by the City Planning Commission,

based on any of the following criteria:

1. That it is of historical significance or has taken an aura of historical appeal.
2. That it is indigenous to the area and has adapted exceptionally well to local conditions.
3. That it is rare to the area and has adapted exceptionally well to local conditions.
4. That it is a portion of a stand of trees, the nature of which makes each dependent upon the others for survival.

(b) Significant Trees. "Significant tree" shall mean any tree or stand of trees on public property or on undeveloped private property specifically designated by the Director, Department of Environmental Affairs, based on any of the criteria listed under Section 7441 (a)1,2,3,4 and shall further include any tree or stand of trees on public property or on undeveloped private property having a single trunk circumference of 15 inches or more measured at 24 inches above ground level. Undeveloped private property shall include every lot or parcel in any zone except those lots or parcels unable to be further divided according to the Zoning Regulations and Subdivision Ordinance and which are already occupied by a Principal Facility in which the Principle Activity is performed and so long as both the activity and facility are permitted or conditionally permitted within the individual zone or included under the provisions of the Non-Conforming Use Regulations at Section 7600.

(c) **Street Trees.** "Street tree" shall mean any tree of any species or size planted in parkways, sidewalk areas, easements, and right-of-way granted to the City of Simi Valley.

**SECTION 7442 TREE ALTERATION PERMIT.** Application for a permit to alter, move, or remove any of the trees specified in Section 7441 shall be made on a form prescribed by the Department of Environmental Affairs and shall be filed with such Department. The application shall include the number and location of any trees to be moved, altered, or removed, a statement of the reason for the request, and such other information as may be required by the Director, Department of Environmental Affairs, including but not limited to documentation from tree surgeons or landscape architect licensed in the State of California pertaining to the health and quality of said tree or trees.

(a) **Review by the Department of Environmental Affairs.** The Director, Department of Environmental Affairs, shall review applications for tree alteration permits for Heritage trees, Significant trees, and Street trees and shall issue a permit only on the following findings:

1. That the tree or trees specified within the application is of such size, type, condition, and location, and in such surroundings, that its alteration or removal would not frustrate the purposes of the Tree Preservation Regulations as set forth in Section 7440; or
2. That the tree or trees specified within the application threaten public

health and safety within the immediate vicinity of said tree or trees.

(b) Appeals. Appeals from decisions of the Director, Department of Environmental Affairs shall be made in accordance with the Administrative Appeals Procedure at Section 8100.



## DESIGN REVIEW REGULATIONS

SECTION 7450 TITLE AND PURPOSE. The provisions of Section 7450 through Section 7499 shall be known as the Design Review Regulations. The purpose of these provisions is to set forth regulations to insure that development taking place within Simi Valley is consistent with the desired visual character of the City in accordance with the urban design policies identified within the General Plan. These regulations are intended to promote the visual appeal of facilities and structures through a review of siting, architectural and other significant features, signs, and visual impacts.

SECTION 7451 MATTERS SUBJECT TO DESIGN REVIEW. All new buildings, structures, and physical improvements and relocations, additions, extensions and exterior changes other than that required for maintenance of or to existing facilities, and physical improvements shall be subject to design review, whether or not a building permit is required, except as specifically excluded under these Design Review Regulations. The term "physical improvements" as used herein may include, but is not limited to, parking and loading areas, driveways, retaining walls, fences, and garbage or trash enclosures. Plans for signs may be considered in the course of Design Review in lieu of separate sign review when such plans are included with the plans for any of the above matters subject to Design Review.

SECTION 7452 MATTERS EXEMPT FROM DESIGN REVIEW. The following developments and physical improvements are exempt from Design Review procedures and requirements:

(a) Single family dwellings, so long as no more than one dwelling is being constructed within a single parcel or tract by the same owner or developer. The specific intent of this exclusion is to allow construction and remodeling of individual single family homes by their owners.

(b) Agricultural buildings, structures, improvements, and developments which are 300 feet or more distant from a property line of abutting property, in separate ownerships, and which, in addition, are 300 feet or more distant from a street.

(c) Other work determined by the Director of the Department of Environmental Affairs to be minor or incidental and within the intent and objectives of this Section.

(d) Signs subject to the provisions of Section 7040.

SECTION 7453 STANDARDS AND CRITERIA FOR DESIGN REVIEW. The review and approval of plans and proposals as set forth herein, shall assure that a development or physical improvement is designed and sited in a manner which will best satisfy the following criteria:

(a) It will properly and adequately perform or satisfy its functional requirements without being unsightly or creating substantial disharmony with its locale and surroundings.

(b) It will not impair, or interfere with, either the development, use, or enjoyment of other property in the vicinity, or the orderly and pleasing development of the neighborhood as a whole, including public lands and rights-of-way.

(c) It will not directly, or in a cumulative fashion, impair, inhibit, or limit further investment or improvements in the vicinity, on the same or other properties, including public lands and rights-of-way.

(d) It will minimize or eliminate adverse physical or visual effects which might otherwise result from unplanned or inappropriate development, design, or juxtaposition. Such adverse effects may include, but are not limited to those produced by the design and locational characteristics of:

1. The scale, mass, height, area, and materials of buildings and facilities, including but not limited to mechanical equipment, trash storage areas, signs and luminaires;
2. Drainage systems and appurtenant structures;
3. Cut and fill or the reforming of the natural terrain, and structures appurtenant thereto such as retaining walls;
4. Areas, paths, and rights-of-way for the containment, movement or general circulation of persons, animals, vehicles, and conveyances;
5. Other developments or improvements which may result in a diminution or elimination of sun and light exposure, views, vistas, and privacy.

SECTION 7454 STANDARDS AND CRITERIA FOR SIGN REVIEW. In addition to the requirements of Section 7453, the following standards and criteria shall apply to all reviews of signs:

(a) That the applicant has satisfactorily indicated his need for signing to protect his trade and property rights.

(b) That the proposed sign is compatible with the public health, safety and welfare.

(c) That the proposed sign does not negatively affect surrounding property values, including a determination of:

1. Whether the proposed sign will be in harmony with its surroundings, based on the size, shape, height, color and placement.
2. Whether the proposed sign will be legible under normal viewing conditions, based on its location and the design of its visual elements.
3. Whether the proposed sign will obscure from view or detract from existing signs, based on its location and size, shape, height, color and placement.
4. Whether the proposed sign will be in harmony with adjacent property, based on the size, shape, height, color and placement, as well as its proximity to a residential zone.

**SECTION 7455 PROHIBITIONS.** No work shall be started, or authorized, on any matter which is subject to Design Review until a Design Review application is approved, pursuant to the Design Review Procedure at Section 8200.



## HOME OCCUPATION REGULATIONS

SECTION 7500 TITLE AND PURPOSE . The provisions of Section 7500 through Section 7549 inclusive shall be known as the Home Occupations Regulations. It is the purpose of these provisions to prescribe the conditions under which limited non-residential activities may be conducted when incidental to Residential Activities and when no adverse effect accrues to the neighborhood.

SECTION 7501 DEFINITION. A home occupation is an accessory activity which is performed entirely within a dwelling unit by an occupant of the unit and which is customarily incidental to the residential use of the dwelling unit. The result of a home occupation is a product or service not used in its entirety by the family group.

SECTION 7505 STANDARDS. All home occupations shall continuously meet all of the following standards:

- (a) There shall be no employment of help other than the members of the resident family.
- (b) There shall be no use of material or mechanical equipment not recognized as being part of normal household or hobby use.
- (c) The use shall not generate pedestrian or vehicular traffic beyond that normal to the zone in which it is located.
- (d) There shall be no excessive or unsightly storage of materials and/or supplies, indoor or outdoor, for purposes other than those permitted in the zone.

(e) It shall not involve the use of signs or structures other than those permitted in the zone of which it is a part.

(f) Not more than one room in the dwelling shall be employed for the home occupation.

(g) No building or space outside of the main building shall be used for home occupational purposes.

(h) No portion of any garage or carport shall be used for home occupational purposes.

(i) In no way shall the appearance of the structure be so altered or the conduct of the occupation within the structure be such that the structure may be reasonably recognized as serving a non-residential use (either by color, materials or construction, lighting, signs, sounds or noises, vibrations, etc.).

(j) There shall be no use of utilities or community facilities beyond that normal to the use of the property for residential purposes.

(k) In the case of construction or related occupations, any storage and equipment yards must be maintained separate from the home occupation.

(l) Articles offered for sale shall be limited to those produced on the premises, except where the home occupation serves as an agent or intermediary between off-site suppliers and off-site customers, in which case all articles, except for samples, shall be received, stored, and sold directly to customers at off-premises locations.

**SECTION 7515 REQUIRED APPROVAL.** No home occupation shall be permitted unless the Director, Department of Environmental Affairs, certifies that it will conform to the

Home Occupation Regulations and until the Simi Valley Fire Department certifies that the proposed activity does not create a fire hazard. The Director may fix a termination date upon a home occupation in order to effect a periodic review thereof. The Director's determination shall be subject to appeal pursuant to the Administrative Appeal Procedure at Section 8100.

SECTION 7520 REVOCATION. In the event of a failure to comply with these regulations, the Director of the Department of Environmental Affairs may, after notice, revoke his certificate of approval of a home occupation. Such revocation may be appealed pursuant to the Administrative Appeals Procedure at Section 8100.

## **DEVELOPMENT REVIEW REGULATIONS**

SECTION 7550 TITLE AND PURPOSE. The provisions of Section 7550 through Section 7559 inclusive shall be known as the Development Review Regulations. The purpose of these regulations is to identify criteria against which all development within the City of Simi Valley shall be evaluated.

SECTION 7551 CONSISTENCY WITH THE GENERAL PLAN. The proposed location, design, size and use of any development shall be consistent with the Simi Valley General Plan, and with any other applicable plan, development control map, or ordinance adopted by the City Council.

SECTION 7552 MINIMIZATION OF ADJACENT IMPACT. The proposed location, design, size, and use of any development shall be well integrated with its surroundings, and in the case of a departure in character from surrounding uses, siting and design of the development shall adequately reduce the impact of the development.

SECTION 7553 ACCOMMODATION OF TRAFFIC GENERATED. The proposed location, design, size, and use of any development shall be such that the traffic generated by the development can be accommodated safely and without congestion on major streets and will avoid encouraging the traversing of other local streets.



SECTION 7554 MINIMIZATION OF ENVIRONMENTAL IMPACT. The proposed development shall be well integrated into its setting, shall not require excessive earth moving or destroy desirable natural features, shall not be visually obtrusive, shall harmonize with surrounding areas and facilities, and shall not substantially harm major views for surrounding residents.

SECTION 7555 PROVISION OF PUBLIC BENEFIT. The proposed location, design, size, and use of any development shall result in an attractive, healthful, efficient, and stable environment for living, shopping or working. Development shall not occur on land which is held unsuitable by the Planning Commission for reason of exposure to fire, flooding, inadequate drainage, soil and rock formations with severe limitations for development, susceptibility to mudslides or earthslides, severe erosion potential, steep slopes, inadequate water supply or sewage disposal capabilities, or any other feature harmful to the health, safety or welfare of present and future residents.

Appropriateness of development shall be based on the following considerations:

- (a) The danger to life and property due to the designated hazards caused by excavation, fill, roads, and intended uses.
- (b) The danger that structures or other improvements may slide or be swept onto other lands.
- (c) The adequacy of proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination and unsanitary conditions during or following a hazardous event or condition.
- (d) The susceptibility of the proposed facility and its contents to potential damage and the effect of such damage to the property.

(e) The availability of a sufficient amount of water, as defined by the fire protection agency, for fire suppression purposes.

(f) The availability of alternative locations, not subject to hazards.

## **PLANNED UNIT DEVELOPMENT REGULATIONS**

**SECTION 7560 TITLE AND PURPOSE.** The provisions of Section 7560 through Section 7569 inclusive shall be known as the Planned Unit Development Regulations. The purpose of these provisions is to identify basic regulations and criteria against which all planned unit developments within the City of Simi Valley shall be evaluated.

**SECTION 7561 OWNERSHIP AND DIVISION OF LAND.** The tract or tracts of land included in a planned unit development must be of one ownership or control or the subject to a joint application by the owners of all the property included. The holder of a written option to purchase; any governmental agency; or a redeveloper under contract with the Ventura County Redevelopment Agency shall be deemed the owner of such land for the purpose of this Section. Unless otherwise provided as a condition for approval of a planned unit development permit, the permittee may divide and transfer units of any development for which a permit is required. The transferee shall complete each such unit, and use and maintain it, in strict conformance with the approved permit and development plan.

**SECTION 7562 PERFORMANCE BONDS.** The City Planning Commission or, on appeal, the City Council may, as a condition of approval of any development for which a planned unit development permit is required, require a cash bond or surety bond for the completion of all or specified parts of the development deemed to be essential to the satisfactory achievement of the development. The bond shall be in

a form approved by the City Attorney, in a sum of 100 percent of the estimated cost of the work, and conditioned upon the faithful performance of the work specified within the time specified.

SECTION 7563 PLANNED UNIT DEVELOPMENT CRITERIA. Criteria within this Section shall apply to all development processed under the Planned Unit Development Procedure. The following Planned Development Criteria shall be in addition to all other applicable development criteria:

(a) The location, size, design and uses must be consistent with the Simi Valley General Plan, and with any other applicable plan, development control map, or ordinance adopted by the City Council.

(b) The location, design, and size must be such that it is able to integrate the development with its surroundings, and in the case of a departure in character from surrounding uses, must be able to adequately reduce the impact of the development.

(c) The location, design, size and uses are such that traffic generated by the development can be accommodated safely and without congestion on major streets and will avoid traversing other local streets.

(d) The location, design, size and uses are such that the residents or establishments to be accommodated will be adequately served by existing or proposed facilities and services.

(e) The location, design, size and uses will result in an attractive, healthful, efficient, and stable environment for living, shopping, or working, the beneficial effect of which could not otherwise be achieved under the Zoning Regulations.



(f) The development will be well integrated into its setting, will not require excessive earth moving or destroy desirable natural features, will not be visually obtrusive and will harmonize with surrounding areas and facilities, and will not substantially harm major views for surrounding residents, and will provide sufficient buffering in the form of spacial separation, vegetation, topographic features, or other devices.

## **NONCONFORMING USE REGULATIONS**

**SECTION 7600 TITLE AND PURPOSE.** The provisions of Section 7600 through Section 7649, inclusive, shall be known as the Nonconforming Use Regulations. The purpose of these regulations is to control, ameliorate, or terminate uses which do not conform to the Zoning Regulations. These regulations shall apply to all nonconforming uses.

### **SECTION 7601 DEFINITIONS.**

(a) **Nonconforming Use.** A nonconforming use is a nonconforming activity or a nonconforming facility.

(b) **Nonconforming Activity.** A nonconforming activity is an activity which, under the Zoning Regulations, is not itself a permitted activity where it is located or does not conform to the off-street parking or loading requirements, performance standards, or other requirements applying to activities. However, an activity of the character described above shall not be deemed a nonconforming activity to the extent that it has been or is hereafter authorized by a substisting conditional use permit, variance, or other special zoning approval.

(c) **Nonconforming Facility.** A nonconforming facility is a facility which, under the Zoning Regulations, is not itself a permitted facility where it is located or does not conform to the density, height, yard, court, buffering, landscaping or screening, or usable open space requirements; limitations on signs; or other requirements applying to facilities. However, a facility of the character described above shall not be deemed

a nonconforming facility to the extent that it has been or is hereafter authorized by a subsisting conditional use permit, variance, or other special zoning approval.

(d) Substitution of Activities. A substitution of activities is the replacement of an existing activity by a new activity, or a change in the nature of an existing activity. It does not include a change of ownership, tenancy, or management where the previous line of business or other function is substantially unchanged.

(e) Alteration (in or of a use). An alteration is an enlargement; addition; relocation; repair; remodeling; change in number of living units; development of or change in an open area; development of or change in a sign, by painting or otherwise; or any change in a facility, but excluding painting except as provided above for signs, ordinary maintenance for which no building permit is required, and demolition or removal.

#### SECTION 7602 COMPLETION OF PROJECTS IN ACCORDANCE WITH PRIOR PERMITS.

As specified in Section 7603, uses may in certain cases be established, constructed, altered, extended, substituted, moved, or otherwise changed on the basis of building or sign permits or conditional use permits, variances, or other special zoning approvals applied for or granted before the effective date of the Zoning Regulations, or of any subsequent rezoning or other amendment thereto, although said regulations or amendment thereto would otherwise prohibit such development or change.

SECTION 7603 RIGHT TO CONTINUE NON-CONFORMING USE, SUBJECT TO LIMITATIONS. A nonconforming use which is in existence on the effective date of the Zoning Regulations or of any subsequent rezoning or other amendment thereto which makes such use nonconforming, and which existed lawfully under the previous zoning

controls, or which is subsequently developed or changed pursuant to Section 7602, may thereafter be continued and maintained indefinitely, and the rights to such use shall run with the land, except as otherwise specified in the Nonconforming Use Regulations. However, no substitution, extension, or other change in activities and no alteration or other change in facilities is permitted except as specifically provided hereinafter.

## **Nonconforming Activities**

### **SECTION 7610 NONCONFORMING ACTIVITY - DISCONTINUANCE**

(a) Activity Nonconforming Because It Is Not a Permitted Activity. Whenever an activity which is nonconforming, wholly or partly because it is not itself a permitted activity where it is located, discontinues active operation for a continuous period of one year, and the facilities accommodating or serving such activity are not utilized for another activity during such period, said facilities may therefore be utilized only for a normally permitted or conditionally permitted activity substituted pursuant to Section 7612(a), except that the former activity may be resumed after a longer period upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150. However, if another activity has been substituted for it, the former activity may thereafter be resumed if and only if such resumption would constitute a permitted substitution under Section 7612(a). Section 7311 shall also apply.



(b) Activity Nonconforming for Other Reasons. A nonconforming activity which is itself a permitted activity where it is located, and which is nonconforming only as to applicable off-street parking or loading requirements, performance standards, or other requirements applying to activities, may be resumed regardless of the period during which it may have discontinued active operation. However, if another activity has been substituted for it, the former activity may thereafter be resumed only if such resumption would constitute a permitted substitution under Section 7612(b). Section 7611 shall also apply.

#### SECTION 7611 NONCONFORMING ACTIVITY - DAMAGE OR DESTRUCTION.

If the facilities accommodating or serving any nonconforming activity are damaged or destroyed to the extent of not more than 75 percent of their current replacement cost as estimated by the Building Inspector, they may be restored to their prior condition and occupancy. If such damage or destruction exceeds 75 percent of said cost, the facilities may not thereafter be restored to accommodate or serve any nonconforming activity.

#### SECTION 7612 NONCONFORMING ACTIVITY - PERMITTED SUBSTITUTIONS AND OTHER CHANGES IN ACTIVITY.

(a) Activity Nonconforming Because It Is Not a Permitted Activity. Except as otherwise provided in Sections 7610 and 7611, the activities specified in the table below may be substituted for any of the indicated activities which is nonconforming wholly or partly because it is not itself a permitted activity where it is located.

Changes other than substitutions may also be made in such activities, but no substi-

tution or other change may be made which would result in a greater degree of nonconformity with respect to any applicable provision of the Environmental Protection Regulations at Section 7400, or wherever the nonconforming activity is conditionally permitted, with respect to applicable off-street parking or loading requirements. If a new activity substituted according to the table is not itself a permitted and otherwise conforming activity, it shall be deemed a nonconforming activity and no further substitution is permitted except pursuant to this Section. If a conforming activity is substituted, no further substitution of any nonconforming activity is permitted.

<u>Zone</u>	<u>Prior Nonconforming Activity</u>	<u>New Activity Which May Be Substituted for Prior Nonconforming Activity</u>
Any zone.	Any such activity where it is conditionally permitted.	Any activity otherwise permitted or, upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150, any activity otherwise conditionally permitted in the same location. However, no such activity may be substituted if the result would be a greater degree of nonconformity with respect to applicable off-street parking, loading, or other requirements applying to activities.
	Any such activity where it is not conditionally permitted.	Any activity otherwise permitted or, upon the granting of a conditional use permit, any activity otherwise conditionally permitted in the same location.

(b) Activity Nonconforming for Other Reasons. Except as otherwise provided in Sections 7610 and 7611, an activity which is itself permitted or, upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure, an

activity which is itself conditionally permitted may be substituted for any activity which is itself a permitted activity where it is located and which is nonconforming only as to applicable off-street parking or loading requirements, performance standards, or other requirements applying to activities. Changes other than substitutions may also be made in such activities, but no substitution or other change shall be made which would result in a greater degree of nonconformity with respect to the aforesaid requirements.

## SECTION 7613 NONCONFORMING ACTIVITY - ALLOWED ALTERATIONS AND EXTENSIONS

(a) Nonresidential Activity Nonconforming Because It Is Not a Permitted Activity. Except as otherwise provided in Section 7611, a Nonresidential Activity which is nonconforming wholly or partly because it is not itself a permitted activity where it is located may be extended, and the facilities accommodating or serving such activity may be altered or otherwise changed, subject to the requirements normally applying to uses where the activity is located and subject to the following provisions:

1. Except as otherwise provided in paragraph 2, the floor area and overall outside dimensions of any building, or portion thereof, devoted to such activity shall not be increased; no open parking, loading, sales, display, service, production, or storage area accommodating or serving such activity shall be relocated or increased in size; and no such building or open area shall be wholly reconstructed.

2. New, wholly reconstructed, enlarged, or relocated structures or open areas devoted to off-street parking or loading serving such activity may be provided wherever Automotive Fee Parking Commercial Activities are permitted or, upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150, wherever Automotive Fee Parking Commercial Activities are conditionally permitted. In residential zones, such facilities for off-street parking may be provided in the situations, and subject to the conditions, prescribed in Section 7009.
3. New signs may be provided for such activity, but the aggregate area of display surface of all signs serving such activity shall not be increased. All signs shall be subject to the limitations, other than aggregate area of display surface, normally applying to signs where they are located.
4. During any five-year period, beginning on or after the effective date of the Zoning Regulations or of any subsequent rezoning or other amendment thereto which makes such activity thus nonconforming, the aggregate cost of all alterations for which a building or sign permit is required, and which are intended for any activity subject to this subsection, shall not exceed 25 percent of the replacement cost, as estimated by the Building Inspector, of the facilities accommodating or serving such activity at the beginning of said period. However, the cost of alterations ordered by any governmental agency or permitted by Section 7611 shall be exempt from said maximum cost.



(b) Residential Activity Nonconforming Because It Is Not a Permitted Activity.

Except as otherwise provided in Section 7611, a Residential Activity which is nonconforming wholly or partly because it is not itself a permitted activity where it is located may be extended, and the facilities accommodating or serving such activity may be altered or otherwise changed, subject to the following provisions:

1. The number of living units shall not be increased.
2. The amount of added or wholly reconstructed floor area devoted to such activity shall not exceed in the aggregate 20 percent of that already existing on the affected lot. If new or wholly reconstructed floor area is developed, usable open space shall be provided for all units except one-family dwellings in the amount required under Usable Open Space Regulations.
3. Existing usable open space shall not be reduced below, or if already less than shall not be reduced further below, the usable open space requirements pursuant to the Usable Open Space Regulations at Section 7350.
4. All alterations and other changes shall conform to, or not further conflict with, the minimum yard and court and maximum height requirements and the limitations on signs, as well as to all other requirements generally applying to uses where the activity is actually located.

(c) Activity Nonconforming for Other Reasons. Except as otherwise provided in Section 7611, any activity which is itself a permitted activity where it is located and which is nonconforming only as to off-street parking or loading requirements, performance standards, or other requirements applying to activities may be extended,

and the facilities accommodating or serving such activity may be altered or otherwise changed, in any way which does not result in a greater degree of nonconformity with respect to such requirements and which conforms to the requirements normally applying to uses where the activity is located.

## **Nonconforming Facilities**

### **SECTION 7620 NONCONFORMING FACILITY - ALLOWED ALTERATIONS**

(a) When Occupied by Conforming Activity. Except as otherwise provided in Section 7621, a nonconforming facility which accommodates or serves a conforming activity may be altered or otherwise changed, and the lot lines of the lot containing it may be changed, in any way which does not create any new nonconformity or increase the degree of any existing nonconformity with respect to any requirement applying to facilities. Any new, relocated, or wholly reconstructed part of a facility shall itself conform to all applicable such requirements. Nonconforming Nonresidential Facilities which are not themselves permitted facility types in the zone where they are located shall not be increased in floor area or overall outside dimensions; relocated, except to remove a nonconformity; or wholly reconstructed.

(b) When Occupied By Nonconforming Activity. Except as otherwise provided in Section 7621, a nonconforming facility which accommodates or serves a nonconforming activity may be altered or otherwise changed, and the lot lines of the lot containing it may be changed, subject to the conditions of Section 7613, as well as those of subsection (a) above. In such a case, new signs of a type not otherwise permitted

may be developed as authorized by subsections (a) and (b) of Section 7613.

#### SECTION 7621 NONCONFORMING FACILITY - DAMAGE OR DESTRUCTION.

If a nonconforming facility is damaged or destroyed to the extent of not more than 75 percent of its current replacement cost as estimated by the Building Inspector, it may be restored to its prior condition. If such damage or destruction exceeds 75 percent of said cost, the facility may be restored only as a conforming facility.

## **OFF-STREET PARKING AND LOADING REQUIREMENTS**

### **General Provisions**

SECTION 7650 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 7650 through Section 7699, inclusive, shall be known as the Off-Street Parking and Loading Requirements. The purpose of these regulations is to require adequate off-street parking and loading, thereby reducing traffic congestion, allowing more efficient utilization of on-street parking, promoting more efficient loading operations, and reducing the use of public street for loading purposes. These requirements shall apply to the indicated activities as specified hereinafter.

### **SECTION 7651 EFFECT ON NEW AND EXISTING USES**

(a) New Parking and Loading to be Provided for New Facilities and Additions to Existing Facilities. Except as otherwise provided in Section 7005 in the case of prior permits, new off-street parking and loading as prescribed hereafter shall be provided for activities occupying facilities, or portions thereof, which are constructed, established, wholly reconstructed, or moved onto a new lot after the effective date of the Zoning Regulations, or of a subsequent rezoning or other amendment thereto establishing or increasing parking or loading requirements for such activities, except to the extent that existing parking or loading exceeds such requirements for any existing facilities. The required amount of new parking and loading shall be based on the cumulative increase in floor area, or other applicable unit of measurement prescribed hereafter, after said effective date; provided, however, that for an activity



occupying a facility existing on said effective date, new parking shall be required for said increase to the extent that the total of such existing facility and the added facilities exceeds any minimum size hereafter prescribed for which any parking is required for such activity.

(b) New Parking to be Provided for New Living Units in Existing Facilities. If any facility, or portion thereof, which is in existence on the effective date of the Zoning Regulations, or of a subsequent rezoning or other amendment thereto establishing or increasing parking or loading requirements for an activity therein, is altered or changed in occupancy so as to result in an increase in the number of residential living units therein, new off-street parking as prescribed hereafter shall be provided for the added units. However, such new parking need be provided only in the amount by which the requirement prescribed hereafter for the facility after said alteration or change exceeds the requirement prescribed hereafter for the facility as it existed prior to such alteration or change; and such new parking need not be provided to the extent that existing parking exceeds the latter requirement. Other alterations and substitutions or other changes in activities may be made in any facility or portion thereof existing on said date without regard for the parking and loading requirements prescribed hereafter, and new parking and loading shall not be required therefor, except as otherwise provided in subsection (a) with respect to additions and in subsection (c).

(c) Existing Parking and Loading to be Maintained. No existing parking or loading serving any activity shall be reduced in amount or changed in design, location, or maintenance below, or if already less than shall not be reduced further below, the requirements prescribed hereafter for such activity unless equivalent substitute facilities are provided.

SECTION 7652 MORE THAN ONE ACTIVITY ON A LOT. Whenever a single lot contains different activities with the same off-street parking or loading requirement, the overall requirement shall be based on the sum of all such activities. Whenever a single lot contains activities with different off-street parking or loading requirements, the overall requirement shall be the sum of the requirements for each such activity calculated separately.

#### SECTION 7653 DETERMINATION BY DIRECTOR OF ENVIRONMENTAL AFFAIRS.

In the case of activities for which the Director of the Department of Environmental Affairs is required to prescribe a number of parking spaces or loading berths, he shall base his determination on the traffic generation of the activities, the amount and frequency of loading operations thereof, the time of operation of the activities, their location, and such other factors as affect the need for off-street parking or loading. Any such determination shall be subject to appeal pursuant to the Administrative Appeal Procedure at Section 8100.

### **Off-Street Parking Requirement**

SECTION 7660 CALCULATION RULES. If after calculating the number of required

off-street parking spaces a quotient is obtained containing a fraction of one-half or more, an additional space shall be required; if such fraction is less than one-half it may be disregarded. When the parking requirement is based on number of employees, the number of spaces shall be based on the number of working persons typically engaging in the specified activity on the lot during the largest shift of the peak season. When the requirement is based on number of doctors, the number of spaces shall be based on the number of such doctors typically engaging in the activity on the lot during the peak daily period. When the requirement is based on number of seats, each 20 inches of pews or similar facilities shall be counted as one seat.

**SECTION 7661 OFF-STREET PARKING - RESIDENTIAL ACTIVITIES.** Except as otherwise provided in Sections 7651, 7652, and 7667, and subject to the calculation rules set forth in Section 7660, the following off-street parking requirements shall apply to all Residential Activities:

(a) Basic Requirements. Subject to the applicable provisions of subsection (b), the following amounts of off-street parking are required for Residential Activities when located in the indicated zones and occupying the specified facility types, and shall be developed and maintained pursuant to the provisions of Section 7680 through Section 7699, inclusive:

<u>Residential Facility Type</u>	<u>Zone</u>	<u>Requirement</u>
One-Family Dwelling.	Any zone where permitted.	Two spaces for each dwelling unit, both of which must be covered.
Two-Family Dwelling. Multi-Family Dwelling. Rooming House.	R-60, R-70	One and one-half spaces for each dwelling unit plus one additional space for each five dwelling units, one-half of which must be covered, and one space for each two rooming units.
	Any other zone, where permitted.	Two spaces for each dwelling unit and one space for each two rooming units.
Mobile Home.	Any zone where permitted.	One space for each living unit plus one additional space for each four living units.

(b) **Exceptions to Basic Requirements.** In a Residential Facility which is limited in occupancy to single individuals over the age of 60 years or to married couples in which at least one of the spouses is over 60, or in a dormitory, fraternity, or similar facility, the number of parking spaces prescribed in the table in subsection (a) may be reduced by not to exceed 75 percent upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedures at Section 8150 and upon determination that the proposal conforms to the use permit criteria set forth in paragraphs 1 or 2, and 3.

1. In the case of a Residential Facility limited in occupancy to individuals over the age of 60 years or to married couples in which at least one of the spouses is over 60, that such occupancy is guaranteed, for a period of not less than 50 years, by appropriate conditions incorporated into the permit.



2. In the case of a dormitory, fraternity, or similar facility, that the occupants are prevented from operating a motor vehicle because they are not of driving age or by other special restriction, which limitation of occupancy by nonqualifying drivers is assured by appropriate conditions incorporated into the permit.
3. That due to the special conditions referred to above, the reduced amount of parking will be adequate for the activities served, and that the reduction will not contribute to traffic congestion or impair the efficiency of on-street parking.

SECTION 7662 OFF-STREET PARKING - CIVIC ACTIVITIES. Except as otherwise provided in Sections 7651, 7652, 7666, and 7667, and subject to the calculation rules set forth in Section 7660, the following amounts of off-street parking are required for the specified Civic Activities when located in the indicated zones and occupying facilities of the specified sizes or having the indicated numbers of employees or doctors, and shall be developed and maintained pursuant to the provisions of Section 7680 through Section 7699, inclusive.

<u>Civic Activity</u>	<u>Zone</u>	<u>Requirement</u>
(a) Essential Service.	Any zone where permitted.	No spaces required.
(b) Limited Child-Care.	Any zone where permitted.	One space for each employee.
(c) Nursing Home.	Any zone where permitted.	One space for each four beds.
(d) Community Assembly: playgrounds and playing fields; concessions located in public parks; temporary non-profit festivals.	Any zone where permitted.	A number of spaces to be prescribed by the Director of the Department of Environmental Affairs, pursuant to Section 7653.
private non-profit clubs and lodges, churches and all others.	Any zone where permitted.	One space for each 4 seats, or for each 150 square feet of floor area where seats are not fixed, in principal meeting rooms.
(e) Community Education: high schools.	Any zone where permitted.	One space for each two employees plus one space for each 10 students of planned capacity.
all other.	Any zone where permitted.	One space for each three employees.
(f) Non-Assembly Cultural.	Any zone where permitted except C zones.	One space for each 200 square feet of floor area.
	C zones.	One space for each 250 square feet of floor area.
(g) Administrative.	Any zone where permitted except C zones.	One space for each 200 square feet of floor area.
	C zones.	One space for each 250 square feet of floor area.
(h) Utility and Vehicular.	Any zone where permitted.	One space for each three employees, plus one space for each vehicle used in connection with the activities.

(i) Health Care: hospitals.	Any zone where permitted.	One space for each two beds, plus one space for each employee on the largest shift.
clinics.	Any zone where permitted.	Three spaces for each staff or regular visiting doctor plus one space for each two other employees.
all other.	Any zone where permitted.	One space for each six beds, plus one space for each four employees other than doctors, plus one space for each staff or regular visiting doctor.
(j) Extensive Impact: colleges or universities.	Any zone where permitted.	One space for each three employees plus one space for each six students of planned capacity.
all other.	Any zone where permitted.	A number of spaces to be prescribed by the Director of the Department of Environmental Affairs, pursuant to Section 7653.

SECTION 7663 OFF-STREET PARKING - COMMERCIAL ACTIVITIES. Except as otherwise provided in Sections 7651, 7652, 7666, and 7667, and subject to the calculation rules set forth in Section 7660, the following amounts of off-street parking are required for the specified Commercial Activities when located in the indicated zones or having the indicated numbers of employees, and shall be developed and maintained pursuant to the provisions of Section 7680 through Section 7699, inclusive:

<u>Commercial Activity</u>	<u>Zone</u>	<u>Requirement</u>
(a) Food Sales and Service.	Any zone where permitted.	One space for each three persons permitted to occupy the establishment by the occupancy load provisions of the Building Code.
(b) Convenience Sales and Service. Medical Service. General Retail Sales. General Personal Service. Consumer Laundry and Repair Service. General Wholesale Sales. Undertaking Service	Any zone where permitted.	One space for each 250 square feet of floor area.
(c) Consultative and Financial Service Administrative. Business and Communication Service. Retail Business Supply. Research Service. Animal Care.	Any zone where permitted.	One space for each 300 square feet of floor area.



<u>Commercial Activity</u>	<u>Zone</u>	<u>Requirement</u>
(d) Construction Sales and Service. Automotive Sales, Rental and Delivery.	Any zone where permitted.	One space for each 1000 square feet of floor area, or for each three employees, whichever requires fewer spaces.
(e) Group Assembly.	Any zone where permitted.	One space for each four seats in indoor places of assembly with fixed seats, plus one space for each 80 square feet of floor area in indoor places of assembly without fixed seats, plus a number of spaces to be prescribed by the Director of City Planning, pursuant to Section 7653.
(f) Transient Habitation.	Any zone where permitted.	One space for each living or sleeping unit in a motel or hotel.
(g) Automotive Servicing. Automotive Fee Parking. Automotive Repair and Cleaning.	Any zone where permitted.	One space for each 1000 square feet of indoor and outdoor area.
(h) Transport and Warehousing. Scrap Operation.	Any zone where permitted.	One space for each 1000 square feet of floor area, or for each two employees, whichever requires the greater number of spaces.

SECTION 7664 OFF-STREET PARKING - MANUFACTURING ACTIVITIES. Except as otherwise provided in Sections 7651, 6652, 7666, and 7667, and subject to the calculation rules set forth in Section 7660, there shall be required one off-street parking space for each 1000 square feet of the total floor area devoted to any Manu-

facturing Activity or for each two employees, whichever requires the greater number of spaces. The parking prescribed above shall be developed and maintained pursuant to the provisions of Section 7680 through Section 7699, inclusive.

**SECTION 7665 OFF-STREET PARKING - AGRICULTURAL AND EXTRACTIVE ACTIVITIES.** Except as otherwise provided in Sections 7651, 7652, 7666, and 7667, and subject to the calculation rules set forth in Section 7660, there shall be required one off-street parking space for each 1000 square feet of the total floor area or outdoor sales or display area devoted to any Agricultural or Extractive Activity. The parking prescribed above shall be developed and maintained pursuant to the provisions of Section 7680 through Section 7699, inclusive.

**SECTION 7666 CONDITIONAL USE PERMIT FOR REDUCTION OF TOTAL REQUIREMENTS IN SHARED PARKING AREA.** For a joint off-street parking area which serves two or more Nonresidential Activities in any zone, which meets the conditions set forth in Section 7681, the total parking requirement for the sharing activities may be reduced by not to exceed 50 percent upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150 and upon determination that the typical utilization of the parking area would be staggered to such an extent that the reduced number of spaces would be adequate to serve all such activities.

**SECTION 7667 WAIVER OR REDUCTION OF PARKING REQUIREMENTS IN DISTRICTS PROVIDING COMMON PARKING AREAS.** The off-street parking requirements spe-

cified above for Nonresidential Activities in any zone, may be waived or reduced by the Director of the Department of Environmental Affairs when said activities are located within a municipal parking district or assessment district the function of which is to provide off-street parking, upon a finding that, in consideration of existing or prospective municipal parking facilities, such waiver or reduction would not substantially contribute to traffic congestion or impair the efficiency of on-street parking. Any determination on such waiver or reduction shall be subject to appeal pursuant to the Administrative Appeal Procedure at Section 8100 .

**Off-Street Loading Requirements**

SECTION 7670 OFF-STREET LOADING - RESIDENTIAL ACTIVITIES. Except as otherwise provided in Sections 7651 and 7652, the following amounts of off-street loading are required in all zones for the specified Residential Activities when occupying facilities of the indicated sizes, and shall be developed and maintained pursuant to the provisions of Section 7680 through Section 7699 inclusive:

<u>Residential Activity and Total Floor Area of Facilities Occupied</u>	<u>Requirement</u>
(a) Permanent.	No berths required.
(b) Semi-Transient, occupying the following floor area:	
Less than 20,000 square feet.	No berths required.
20,000-99,999 square feet	One berth.
100,000-299,999 square feet.	Two berths.
Each additional 300,000 square feet or fraction of one-half or more thereof.	One additional berth.

SECTION 7671 OFF-STREET LOADING - CIVIC ACTIVITIES. Except as otherwise provided in Sections 7651 and 7652, the following amounts of off-street loading are required in all zones for the specified Civic Activities when occupying facilities of the indicated sizes, and shall be developed and maintained pursuant to the provisions of Section 7680 through Section 7699, inclusive:



Civic Activity and Total Floor Area of  
Facilities Occupied

Requirement

- (a) Community Assembly, Community Education, Non-Assembly Cultural, or Administrative, occupying the following floor area:

Less than 20,000 square feet.

20,000-99,999 square feet.

100,000-299,999 square feet.

Each additional 300,000 square feet or fraction of one-half or more thereof.

No berths required.

One berth.

Two berths.

One additional berth.

- (b) Health Care, occupying the following floor area:

Less than 10,000 square feet.

10,000-99,999 square feet.

100,000-299,999 square feet.

Each additional 300,000 square feet or fraction of one-half or more thereof.

No berths required.

One berth.

Two berths.

One additional berth.

- (c) Utility and Vehicular or Extensive Impact.

A number of berths to be prescribed by the Director of City Planning pursuant to Section 7653.

- (d) All other Civic Activities.

No berths required.

SECTION 7672 OFF-STREET LOADING - COMMERCIAL ACTIVITIES. Except as otherwise provided in Sections 7651 and 7652, the following amounts of off-street loading are required in all zones for the specified Commercial Activities when occupying facilities of the indicated sizes, and shall be developed and maintained pursuant to the provisions of Section 7680 through Section 7699, inclusive:

Commercial Activity and Total Size of  
Facilities Occupied

Requirement

- (a) Convenience Sales and Service, General Retail Sales, Group Assembly, Consumer

Laundry and Repair Service, Business and Communication Service, Retail Business Supply, Research Service, Automotive Servicing, Automotive Repair and Cleaning, or Animal Care, occupying facilities with the following floor area:

Less than 10,000 square feet.

10,000-24,999 square feet.

25,000-39,999 square feet.

40,000-59,999 square feet.

60,000-99,999 square feet.

Each additional 150,000 square feet or fraction of one-half or more thereof.

No berths required.

One berth.

Two berths.

Three berths.

Four berths.

One additional berth.

- (b) Medical Service, General Personal Service, Consultative and Financial Service, Administrative, or Transient Habitation, occupying facilities with the following floor area:

Less than 20,000 square feet.

20,000-99,999 square feet.

100,000-299,999 square feet.

Each additional 300,000 square feet or fraction of one-half or more thereof.

No berths required.

One berth.

Two berths.

One additional berth.

- (c) Food Sales and Service, General Wholesale Sales, Construction Sales and Service, Automotive Sales, Rental, and Delivery, or Transport and Warehousing, occupying facilities with the following floor area:

Less than 10,000 square feet.

10,000-24,999 square feet.

25,000-39,999 square feet.

40,000-59,999 square feet.

60,000-99,999 square feet.

Each additional 80,000 square feet or fraction of one-half or more thereof.

No berths required.

One berth.

Two berths.

Three berths.

Four berths.

One additional berth.

- (d) Undertaking Service, occupying facilities with the following floor area:

Less than 2,500 square feet.

2,500-4,999 square feet.

Each additional 10,000 square feet or fraction of one-half or more thereof.

No berths required.

One berth.

One additional berth.

- (e) Scrap Operation, occupying facilities with the following amounts of floor area and out-door storage, processing, or sales area:

0-24,999 square feet.	One berth.
25,000-59,999 square feet.	Two berths.
60,000-99,999 square feet.	Three berths.
Each additional 100,000 square feet or fraction of one-half or more thereof.	One additional berth.

- (f) All other Commercial Activities.

No berths required.

SECTION 7673 OFF-STREET LOADING - MANUFACTURING ACTIVITIES. Except as otherwise provided in Sections 7651 and 7652, the following amounts of off-street loading are required in all zones for all Manufacturing Activities when occupying facilities of the indicated sizes, and shall be developed and maintained pursuant to the provisions of Section 7680 through Section 7699, inclusive:

<u>Total Floor Area of Facilities Occupied</u>	<u>Requirement</u>
Less than 10,000 square feet.	No berths required.
10,000-24,999 square feet.	One berth.
25,000-39,999 square feet.	Two berths.
40,000-59,999 square feet.	Three berths.
60,000-99,999 square feet.	Four berths.
Each additional 80,000 square feet or fraction of one-half or more thereof.	One additional berth.

SECTION 7674 OFF-STREET LOADING - AGRICULTURAL AND EXTRACTIVE ACTIVITIES. Off-street loading is not required in any zone for Agricultural or Extractive Activities.

## Standards for Required Parking and Loading Facilities

### SECTION 7680 PROPERTY ON WHICH PARKING AND LOADING MUST BE PROVIDED.

(a) **Parking Spaces and Loading Berths.** Off-street parking spaces and loading berths required by the Zoning Regulations shall be located as set forth below for the specified activities. When a maximum distance from the lot containing the activity served to another lot is prescribed, it shall be measured along a permanently accessible pedestrian route between a lot line of the former lot and the nearest boundary of the off-site parking or loading area.

Required Facility and Activity It Serves	Zone	Location
Parking spaces for any Residential Activity.	Any zone.	On the same lot as the activity served.
Parking spaces for any Manufacturing Activity; Administrative or Utility and Vehicular Civic Activities; or Administrative, Research Service, Transport and Warehousing, or Scrap Operation Commercial Activities.	Any zone.	On the same lot as the activity served; or, subject to the provisions of Section 7681, on another lot located within 500 feet and having at least one owner in common with the former lot.
Parking spaces for any activity not listed above.	Any zone.	On the same lot as the activity served; or, subject to the provisions of Section 7681, on another lot located within 300 feet and having at least one owner in common with the former lot.
Loading berths for any activity.	Any zone.	On the same lot as the activity served; or, subject to the provisions of Section 7681, on an abutting lot having at least one owner in common with the former lot, except that a jointly owned off-street loading facility for Nonresidential Activities in any zone may, upon



the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150 and subject to the provisions of Section 7681, be located on a lot which does not abut all the lots containing the activities served.

(b) Maneuvering Aisles and Driveways. Required maneuvering aisles and driveways shall be located as specified in subsection (a) for required spaces or berths serving the same activity, except as follows:

1. A required driveway may, subject to the provisions of Section 7681, straddle the lot line of abutting lots in separate ownership if it leads to parking spaces or loading berths on both lots.
2. A required maneuvering aisle or portion thereof may, subject to the provisions of Section 7681, straddle the lot line of abutting lots in separate ownership if there are on both sides of such aisle, or portion thereof, parking spaces or loading berths which are directly opposite each other.
3. Upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure, and subject to the provisions of Section 7681, any required driveway or maneuvering aisle may be located entirely on another lot or lots in separate ownership.

**SECTION 7681 CONDITIONS FOR OFF-SITE PARKING OR LOADING.** Whenever, pursuant to Section 7680, any required off-street parking or loading facilities are located on a lot other than the lot containing the activity served, the owner or owners of both

lots shall prepare and execute to the satisfaction of the City Attorney, and file with the Ventura County Recorder, an agreement guaranteeing that such facilities will be maintained and reserved for the activity served, for the duration of said activity.

#### SECTION 7682 UTILIZATION OF OFF-STREET PARKING AND LOADING FACILITIES.

Facilities which are intended to meet the off-street parking and loading requirements of the Zoning Regulations shall be made permanently available to, and maintained so as to permit utilization by, the residents, shoppers, employees, or other participants in, or the loading operations of, the activity or activities served. No area may be utilized and counted both as a required parking space and a required loading berth. However, maneuvering aisles and driveways may serve both required parking spaces and loading berths if they meet the requirements specified hereafter for both parking and loading facilities.

SECTION 7683 PARKING SPACE DIMENSIONS. All required parking spaces shall have the minimum dimensions set forth below. Compact parking spaces shall count toward the off-street parking requirements of the Zoning Regulations only if located on a lot containing a total of five or more required spaces. On such a lot, one compact space may be provided in lieu of one regular space for each five required spaces, or remaining fraction of one-half or more thereof. All other required parking spaces shall be regular spaces.

(a) Regular Parking Spaces. A regular parking space shall be not less than 20 feet long and nine feet wide for all parking patterns except parallel parking. For

parallel parking, a regular parking space shall be not less than 22 feet long and eight and one-half feet wide.

(b) Compact Parking Spaces. A compact parking space shall be not less than 16 feet long and seven and one-half feet wide for all parking patterns except parallel parking. For parallel parking, a compact parking space shall be not less than 20 feet long and seven feet wide.

SECTION 7684 DRIVEWAYS AND MANEUVERING AISLES FOR PARKING. Where necessary, maneuvering aisles and driveways shall be provided of such design and arrangement as to provide adequate ingress to and egress from all required parking spaces. (See also Sections 7687, 7688, and 7689.) A driveway serving any required off-street parking area shall have a minimum width of nine feet. Maneuvering aisles necessary for access into and out of required parking spaces shall have the following minimum widths, whether serving regular or compact parking spaces:

(a) Where parking is parallel: 12 feet.

(b) Where parking is at an angle of 45 degrees or less: 12 feet.

(c) Where parking is at an angle of 60 degrees or less but more than 45 degrees: 16 feet.

(d) Where parking is at an angle of 90 degrees or less but more than 60 degrees: 25 feet.

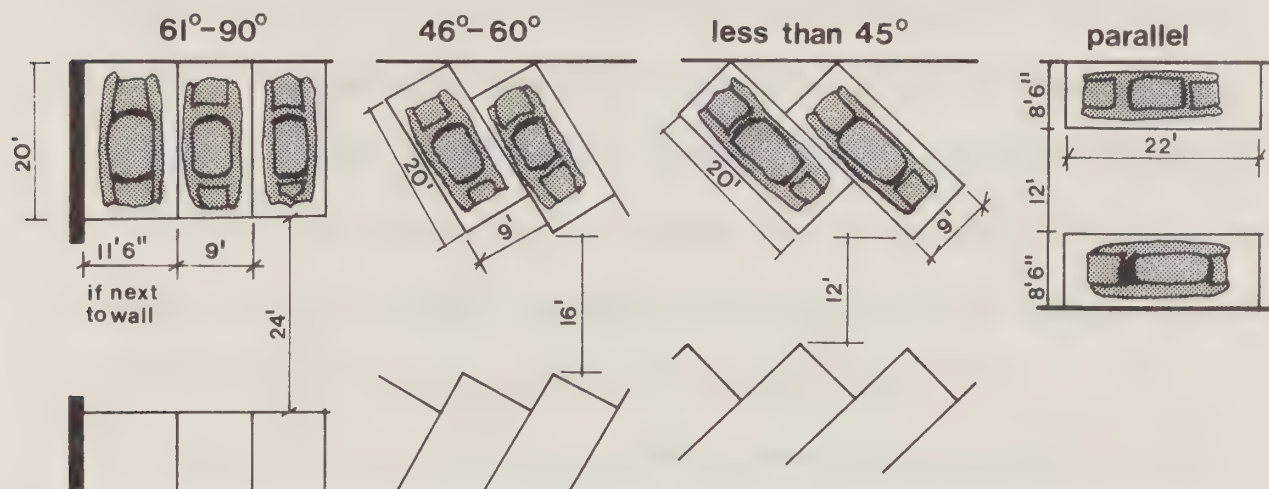
SECTION 7685 LOADING BERTH DIMENSIONS. All required loading berths shall have the minimum dimensions set forth below when serving the indicated activities; provided that where one or both of the long sides of a berth which is at an angle of



## I-14: DESIGN OF REQUIRED PARKING AREAS

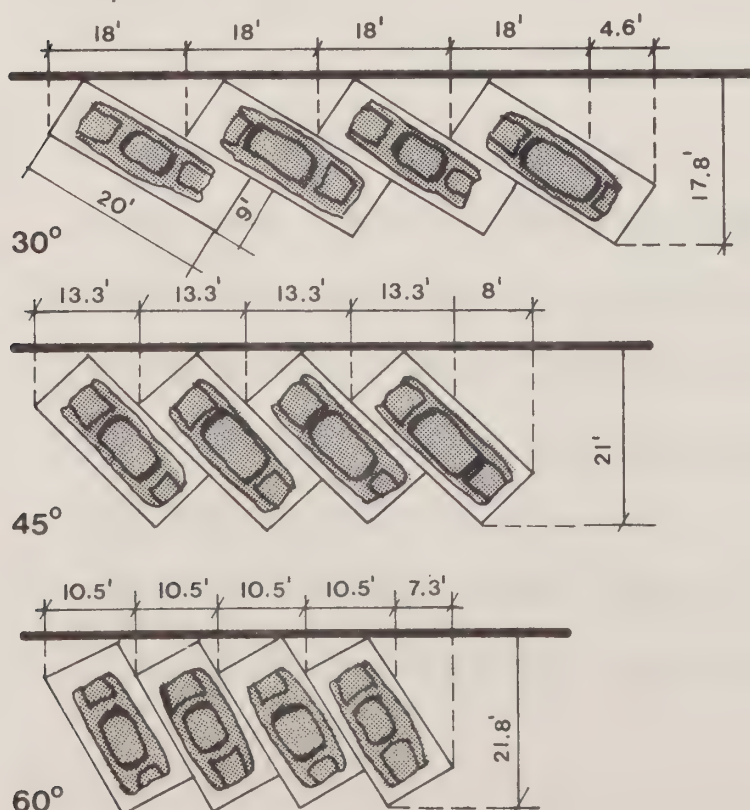
Minimum dimensions of maneuvering aisles and regular spaces for different parking patterns:

Section 7683 and 7684



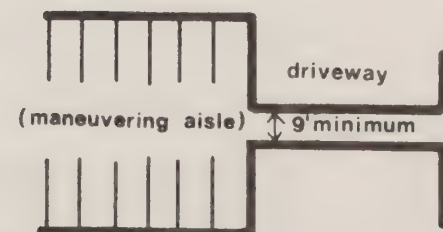
On a lot with at least five required spaces, one-fifth of them may be "compact spaces." A compact space must be at least seven feet by 20 feet for parallel parking, and at least seven and one-half feet wide and 16 feet long in all other cases. But maneuvering aisles adjacent to compact spaces must be the full width shown above.

With the above minimum dimensions, regular parking spaces at 30°, 45°, and 60° will take up this much space:



"Tandem" parking (where a car must cross one space to gain access to another) is not permitted for required spaces except for one-family properties and for non-residential lots with fewer than three required spaces. However, a conditional use permit may be granted for tandem arrangement of some kinds of non-residential employee or attendant parking.

Section 7687



Driveways (as distinguished from maneuvering aisles) must be at least 9' wide.

Section 7684





90 degrees or less, but more than 60 degrees, to a maneuvering aisle abuts a wall or other similar obstruction, each of the widths specified below shall be increased by three feet. However, the minimum height or length of a required berth may in any case be reduced upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150 and upon determination that such smaller dimensions are ample for the size and type of trucks or goods which foreseeably will be involved in the loading operations of the activity served.

(a) For all Manufacturing Activities and for Retail Business Supply, General Wholesale Sales, Construction Sales and Service, Automotive Sales, Rental, and Delivery, Automotive Servicing, Transport and Warehousing, and Scrap Operation Commercial Activities: 50 feet long, 12 feet wide, and 14 feet high.

(b) For Undertaking Service Commercial Activities: 25 feet long, 10 feet wide, and eight feet high.

(c) For all other activities for which loading facilities are required: 33 feet long, 12 feet wide, and 14 feet high.

SECTION 7686 DRIVEWAYS AND MANEUVERING AISLES FOR LOADING. Where necessary, maneuvering aisles and driveways shall be provided of such design and arrangement as to allow efficient utilization of all required loading berths by motor vehicles of the types typically employed by the activities served. (See also Sections 7687, 7688, and 7689.)

SECTION 7687 TANDEM SPACES AND BERTHS. A vehicle shall not have to cross another loading berth, or a parking space, in order to gain access to any required

loading berth. On any lot containing three or more required off-street parking spaces, a vehicle shall not have to cross another parking space, or a loading berth, in order to gain access to a required parking space, except that tandem parking may be permitted for Nonresidential Activities upon the granting of a conditional use permit pursuant to the Conditional Use Permit Procedure at Section 8150 and upon determination that such proposal conforms to either or both of the following use permit criteria:

(a) That a full-time parking attendant supervises the parking arrangements at all times when the activities served are in active operation.

(b) That there are a total of 10 or fewer parking spaces on a lot, or within a separate parking area or areas on a lot, which spaces are provided solely for employees.

**SECTION 7688 MAXIMUM BACKING DISTANCE.** All required off-street parking facilities which are located on any lot containing three or more required parking spaces or containing required spaces for two or more residential living units, and all required off-street loading facilities on any lot, shall be so designed and located that a vehicle need not back up from any such required parking space or loading berth for a distance greater than 100 feet in order to reach a street.

**SECTION 7689 SURFACING AND GRADE OF PARKING AND LOADING FACILITIES.**

The maximum slope of any required maneuvering aisle, parking space, or loading berth shall be 10 percent. The maximum slope of any required driveway shall be 20 percent.

All required parking and loading facilities shall be surfaced with bituminous surface treatment or other surfacing of a higher type; shall have satisfactory disposal of surface waters by grading and drainage; and shall be permanently maintained in good condition.

All required off-street parking facilities located on any lot containing three or more required spaces, and all required off-street loading facilities on any lot, shall be so designed that surface water will not drain over any sidewalk.

#### SECTION 7690 SCREENING AND SETBACK OF PARKING AND LOADING AREAS.

(a) Residential S-2 or S-3 Zones. (See illustration 1-11.) In all residential zones and in the S-2 and S-3 Zones, all open off-street parking areas on any lot containing three or more spaces, and all open off-street loading areas on any lot, shall be screened from abutting lots, except where a maneuvering aisle is shared with the abutting lot in the manner described in Section 7680(b)2, by dense landscaping not less than five feet high and not less than three feet wide or by a solid lumber or masonry fence or wall not less than five feet high, subject to the Landscaping, Buffering, and Screening Regulations at Section 7300 and the exceptions stated therein. All such areas shall be screened from all abutting streets, alleys, and paths, and private streets and other ways by dense landscaping not less than three feet high and not less than three feet wide or by a solid or grille, lumber or masonry fence or wall not less than three feet high, subject to the Landscaping, Buffering, and Screening Regulations and the exceptions stated therein. No unroofed parking space or loading berth on such lots shall be located within five feet from any street line or alley.

(b) Commercial or Industrial Zone. (See illustration 1-12.) Off-Street parking and loading facilities shall be screened, and restricted in their location on a lot, when and as prescribed in Section 7310 and 7315 of the Landscaping, Buffering, and Screening Regulations or in the applicable individual Zone Regulations or development control maps.



SECTION 7691 CONTROL ON ARTIFICIAL ILLUMINATION OF PARKING AND LOADING FACILITIES. In all residential zones and in the S-2 and S-3 Zones, artificial illumination of all off-street parking areas located on any lot containing three or more parking spaces and all off-street loading areas on any lot, and of driveway related thereto, shall be non-flashing and shall be directed away from all abutting lots and from any on-site residential living units so as to eliminate objectionable glare. In commercial and industrial zones, artificial illumination of off-street parking and loading facilities shall be controlled when and as specified in Section 7310 of the Landscaping, Buffering, and Screening Regulations.

SECTION 7692 SPECIAL REQUIREMENTS APPLYING IN SOME ZONES. Whenever required off-street parking or loading facilities are located where the applicable individual Zone Regulations or development control maps require a conditional use permit for parking or loading or prescribe other special controls thereon, such regulations shall be complied with in addition to the standards prescribed above for required parking and loading.

## **AUTOMOTIVE SERVICING REGULATIONS**

SECTION 7700 TITLE AND PURPOSE. The provisions of Section 7700 through Section 7724 inclusive shall be known as Automotive Servicing Regulations. The purpose of these provisions is to specify conditions and standards to assure that automotive service stations shall only be constructed in a manner which preserves the integrity and character of the zone in which such use is located, which maintains the utility and value of property in the zone and in adjacent zones, and which assures that the use will not become detrimental to the public health, interest, and safety.

### **SECTION 7701 GENERAL PROVISIONS.**

(a) Applicable Regulations. All Automotive Servicing Commercial Activities shall be subject to conditions imposed by applicable individual Zone Regulations, Automotive Servicing Regulations, and such other provisions of Part 7, Regulations Applying in All or Several Zones, relevant to the conduct of an Automotive Servicing Commercial Activity.

(b) Conditions of Approval. No Automotive Servicing Commercial Activity shall be approved unless conformity is shown to the requirements of subsection (a) and which is submitted in conjunction with and designed as an element of a larger commercial development.

SECTION 7702 SPECIAL PROVISION RELATING TO PARKING. Parking shall be provided as required in the Off-Street Parking and Loading Regulations at Section 7650.

No vehicle may be parked on the premise for the purpose of storage, lease, rent or sale. No vehicle may be parked on sidewalks, parkways, driveways, alleys or planting areas. All off-street parking spaces shall be striped.

SECTION 7703 ACCESS. Driveways shall be permitted at the intersections of primary and secondary highways, controlled or free access, or combination thereof, under the following conditions:

(a) The driveway entrance to the automobile service station shall not be within the curb return but shall be a minimum of five feet beyond the end of the curb return.

(b) A separate driveway shall be located at least 20 feet from a property line common to the service station and adjacent commercially or industrially zoned property, except that when a service station adjoins a shopping center, a combined driveway shall be designed and provided where possible.

(c) One or more driveways may be granted on each street by the Planning Commission upon the recommendation of the City Engineer. A raised concrete-bounded median strip, not less than 175 feet in length and designed in accordance with Standards of the Department of Public Services, shall be constructed or the alternative cash shall be posted with the Department of Public Services prior to the final completion or occupancy, whichever is earlier.

(d) The width of driveways other than a common driveway at the sidewalks shall not exceed 30 feet and the width of a common driveway shall not exceed 36 feet, unless otherwise approved by the Planning Commission upon recommendation of the City Engineer.

- (e) The center line of a driveway shall be perpendicular to the curb line.
- (f) The distance between driveways shall be at least 25 feet measured at the top of the slope.
- (g) Driveway exists shall be signed as directed by the City Engineer with approved stop and/or directional turn signs as necessary for safe traffic movements.

#### SECTION 7704 SERVICE FACILITIES.

(a) Pump Island. No more than four pump islands with no more than four cabinets may be installed on each island. Two fuel outlet hoses for each meter cabinet may be permitted.

(b) Service Bays. Unless otherwise permitted by the Planning Commission, the following regulations shall apply to service bays:

1. The entrance to a service bay shall not be open to any street but shall face the rear or interior side property lines.
2. A 36 inch high veneer wainscot or raised masonry or concrete planter shall be installed along that portion of the service station structure which constitutes a vertical wall at the back end of the service bay entrance. The remaining height may be designed to match the overall theme and design of the facility.
3. A pedestrian entrance in this wall may be permitted.

(c) Merchandising. All new and used merchandise shall be stored and displayed within the service station building or be screened from general public view except accessories and lubrication items which shall be maintained in a manner so as not to



detract from the appearance of the service station.

(d) **Parts and Equipment.** No used or discarded automotive parts or equipment or permanently disabled, junked or wrecked vehicles shall be located outside the service station building except within an enclosed trash storage area meeting the requirements of Section 7705(b).

(e) **Repair and Servicing.** All hydraulic hoists and pits and all lubrication, greasing, and permitted repair equipment must be enclosed entirely within the building. No major automobile repair shall be permitted outside the structure.

(f) **Rental and Sale of Equipment.** The sale or rental of any type of merchandise not customarily related to the motoring public is prohibited.

#### SECTION 7705 OTHER FACILITIES.

(a) **Rest Room.** Rest room facilities shall be provided to the motoring public. All rest room entrances shall be screened by not less than a five foot high decorative structure conforming to the general design of the facility.

(b) **Trash Storage Area.** Trash and discarded or stored objects of any type shall be stored in areas enclosed in a masonry wall not less than five feet high. Adequate gates and vehicular access to such area shall be provided.

(c) **Lighting.** All interior and exterior illumination of the site shall be low-level so that reflection on adjacent property or streets which might be considered objectionable by adjacent property owners or hazardous to motorists shall be eliminated. All lighting (peripheral, pump and canopy structure) shall be shielded, silhouetting and subdued.

(d) **Public Address System.** No public address system or speaker may be located outside of the structure or which is audible outside.

**SECTION 7706 PERIPHERAL WALL.** Pursuant to the Landscaping, Buffering, and Screening Regulations at Section 7310, whenever a service station abuts property in a residential zone, there shall be erected along the lot line abutting the residential zone a wall not less than five feet high. Such wall shall not however exceed two-and-one-half feet high at a common right-of-way and property line. A wall constructed on the interior property line shall contain tree wells or landscape planting areas not less than 16 square feet in area. When included as part of the wall, the wells or planting areas shall be spaced not less than eight feet nor more than 16 feet apart. Continuous planters or planters of uneven length may satisfy this requirement if they are at least four feet deep, extend at least one-third of the length of the wall and include trees planted not more than 16 feet apart.

**SECTION 7707 DRAINAGE AND UTILITIES.** A grading and drainage plan showing existing and proposed elevations and drainage structures shall be submitted prior to the issuance of a building permit. If drainage is to street, water must be carried under the sidewalk in an approved manner. All on-site public utility services shall be installed underground.

**SECTION 7708 LANDSCAPING AND TREES.**

(a) **Landscaping.** All landscaping described herein are additional to that required by Section 7315 and shall be constantly maintained. All landscaping shall

be governed by the Landscaping, Buffering, and Screening Regulations at Section 7300. All planter areas and tree wells shall be constructed as herein provided and shall be equipped with an automatic irrigation system:

1. A five foot wide raised planter shall be provided along all street property line except for driveway openings.
2. On corner lots, a minimum of 150 square feet of raised planter area shall be provided at the street corner between the sidewalk and a line drawn from the edge of each driveway opening at the intersecting streets.
3. When a service station is an integral part of a commercial center or when a block wall is not constructed in accordance with the requirements of Section 7706, a four foot wide planter with trees not more than 16 feet apart shall be provided along not less than two-thirds of the interior perimeter boundaries. No more than two interior access openings to an adjoining commercial area will be permitted.
4. Not less than 10 percent of the service station site shall be in raised landscaped areas.
5. All landscaped areas shall be enclosed within a masonry planter box or concrete curb not less than six inches high.
6. A minimum three foot wide raised planter shall be located along at least 40 percent of the building facade fronting on the street or corner.
7. All planting other than trees shall be of a variety that will not achieve a height greater than 30 inches, and shall not extend over the sidewalk.

8. All landscaping materials including but not limited to trees, shrubs, and ground cover, shall be natural and living materials. Plastic, stimulated, or synthetic plant specimens are not permitted.
9. Complete landscape plans including but not limited to planting plan, plant list, and irrigation plan shall be prepared and presented by a landscape architect licensed to practice in the State of California for approval by the Design Review Board.

(b) Trees. Notwithstanding the above provisions on landscaping, the following regulations shall also apply to the planting of trees:

1. Trees shall be of variety proven hardy in the area or with indigenous characteristics which will promote a growth.
2. There shall be at least one tree of specimen size (24" box) for each 200 square feet of required landscaping area.
3. Trees, approved as to number, type, and size by the Design Review Board, shall be planted in the parkway area between the curbs and sidewalks or in approved tree wells.

SECTION 7709 SIGNS. Signs shall be submitted for approval as a necessary part of the permit for the service station and shall be reviewed in accordance with the Sign Regulations at Section 7025.

SECTION 7710 HOURS OF OPERATION. The Planning Commission may impose conditions and limitations on hours of operation of a service station, based on a finding that the service station is located within 200 feet of residential property and that its



business operation is likely to produce disturbing and detrimental noise. The Planning Commission shall establish guidelines for the limitation of hours of operation of such stations.

SECTION 7711 REVOCATION OF PERMIT. When a service station is inoperative for 90 days within a 120 day period, a public hearing may be held to consider revocation of the permit of that service station.

SECTION 7712 LIMITATION OF SERVICE STATIONS AT INTERSECTIONS. Except under special conditions which are approved by the Planning Commission, no more than two automobile service stations will be considered at a given intersection and only one at a "T" intersection. Stations located at the intersection of the freeway and a local street served with freeway access will be considered as serving the needs of any intersection of local streets which occurs within 1000 feet of any freeway right-of-way.

## **PART 8: ADMINISTRATION AND PROCEDURES**

### **ADMINISTRATIVE APPEAL PROCEDURE**

SECTION 8100 TITLE AND PURPOSE. The provisions of Section 8100 through Section 8149 inclusive shall be known as the Administrative Appeal Procedure. The purpose of these provisions is to prescribe the procedure by which an appeal may be taken to the City Planning Commission from any administrative determination or interpretation made by the Director of the Department of Environmental Affairs under the Zoning Regulations. This procedure shall apply to all appeals from such determinations and interpretations.

SECTION 8101 APPLICATION AND SUBMITTALS. An appeal may be taken to the City Planning Commission, by any interested party, from any administrative determination or interpretation made by the Director of the Department of Environmental Affairs under the Zoning Regulations. Such appeal shall be made on a form prescribed by the Department of Environmental Affairs and shall be filed with such Department. The appeal shall state specifically wherein it is claimed there was an error or abuse of discretion by the Director or wherein his decision is not supported by the evidence in the record. The appeal shall be accompanied by such information as may be required to facilitate review.

#### **SECTION 8102 PROCEDURE FOR CONSIDERATION.**

(a) Timing and Notice: Upon receipt of the appeal, the Secretary of the Planning Commission shall fix the time for consideration thereof and, not less than 10 days prior thereto, shall give written notice to the appellant and to any known adverse parties, or to their representatives, of the time and place of the hearing on the appeal.

(b) **Planning Commission Action:** In its review of an administrative appeal, the Planning Commission shall consider the purpose and intent, as well as the letter, of the pertinent provisions, and shall affirm, modify or reverse the Director's determination or interpretation.

(c) **Period of Consideration:** Should a decision not be rendered by the Commission within 30 days after filing, the Director's determination or interpretation shall be deemed reversed in favor of the appellant. However, said time may be extended by agreement between the Director of Department of Environmental Affairs or the City Planning Commission and the appellant. The decision of the Commission shall be final immediately.

## **CONDITIONAL USE PERMIT PROCEDURE**

SECTION 8150 TITLE AND PURPOSE. The provisions of Section 8150 through Section 8199 inclusive shall be known as the Conditional Use Permit Procedure. The purpose of these provisions is to prescribe the procedure for the accomodation of uses with special site or design requirements, operating characteristics, or potential adverse effects on surroundings, through review and, where necessary, the imposition of special conditions of approval. This procedure shall apply to all proposals for which a conditional use permit is required by the Zoning Regulations.

SECTION 8155 APPLICATION AND SUBMITTALS. Application for a conditional use permit shall be made by the owner of the affected property, or his authorized agent, on a form prescribed by the Department of Environmental Affairs and shall be filed with such Department. The application shall be accompanied by such information including, but not limited to, site and building plans, drawings and elevations, and operational data, as may be required to enable the pertinent criteria to be applied to the proposal, and by the fee referenced in the Fee Schedule at Section 8450.

### **SECTION 8156 PROCEDURE FOR CONSIDERATION.**

(a) Public Hearing: A public hearing before the Planning Commission shall be held on each application for a conditional use permit for a facility type or activity type conditionally permitted by the applicable individual Zone Regulation or for accessory offstreet parking serving principal activities which are not themselves permitted.



(b) **Planning Commission Action:** The Commission shall determine whether the proposal conforms to the general use permit criteria set forth in Section 8157 and to other applicable use permit criteria, and may grant or deny the application for the proposed conditional use permit or require such changes or impose such reasonable conditions of approval as are in its judgment necessary to ensure conformity to said criteria. The determination of the Commission shall become final 10 days after the date of decision unless appealed to the City Council in accordance with Section 8158.

(c) **Period of Consideration:** Should a decision not be rendered within 60 days after filing, the application shall be deemed approved unless said time has been extended between the Planning Commission and the applicant.

**SECTION 8157 GENERAL USE PERMIT CRITERIA.** A conditional use permit may be granted only if the proposal conforms to all of the following general use permit criteria, as well as to all other applicable use permit criteria:

(a) That the location, size, design, and operating characteristics of the proposed development will be compatible with and will not adversely affect the livability of appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage, and density; to the availability of civic facilities and utilities; to harmful effect, if any, upon desirable neighborhood character; to the generation of traffic and the capacity of surrounding streets; and to any other relevant impact of the development.

(b) That the location, design, and site planning of the proposed development will provide a convenient and functional living, working, shopping, or civic environ-

ment, and will be as attractive as the nature of the use and its location and setting warrant.

(c) That the proposed development will enhance the successful operation of the surrounding area in its basic community functions, or will provide an essential service to the community or region.

SECTION 8158 APPEALS TO COUNCIL. Within 10 days after the date of a decision by the Planning Commission on an application for a conditional use permit or on revocation of such a permit in accordance with Section 8160, an appeal from said decision may be taken to the City Council by the applicant, the permittee, or any other interested party. Such appeal shall be made on a form prescribed by the Commission and shall be filed with the City Clerk. The appeal shall state specifically wherein its decision is not supported by the evidence in the record. Upon receipt of such appeal the Council shall set the time for consideration thereof. The City Clerk shall notify the Secretary of the City Planning Commission of the receipt of said appeal and of the time set for consideration thereof; and said Secretary shall, not less than 10 days prior to the date set for the hearing on the appeal, give written notice to the appellant and to any known adverse parties, or to their representatives, of the time and place of the hearing. In considering the appeal the Council shall determine whether the proposed use conforms to the applicable use permit criteria, and may grant or deny a permit or require such changes in the proposed use or impose such reasonable conditions of approval as are in its judgment necessary to ensure conformity to said criteria. The decision of the Council shall be final.

SECTION 8159 ADHERENCE TO APPROVAL PLANS. A conditional use permit shall be subject to the plans and other conditions upon the basis of which it was granted. Unless a different termination date is prescribed, the permit shall terminate one year from the effective date of its granting unless actual construction or alteration, or actual commencement of the authorized activities in the case of a permit not involving construction or alteration, has begun under necessary permits within such period. However, such period of time may be extended by the Planning Commission upon application filed at any time before said period has expired.

SECTION 8160 REVOCATION. In the event of a violation of any of the provisions of the Zoning Regulations, or in the event of a failure to comply with any prescribed condition of approval, the Planning Commission may, after notice and hearing, revoke any conditional use permit. The determination of the Commission shall become final 10 days after the date of decision unless appealed to the City Council.

## DESIGN REVIEW PROCEDURE

SECTION 8200 TITLE AND PURPOSE. The provisions of Section 8200 through Section 8249 inclusive shall be known as the Design Review Procedure. The purpose of these provisions is to prescribe the procedures for the review of signs and the siting and design of facilities proposed within the City of Simi Valley in order to insure that such signs and facilities evidence consideration of surrounding development and community concern with high standards of visual quality.

### SECTION 8201 PROCEDURE FOR CONSIDERATION

#### (a) Character of Review.

1. At the applicant's option, the Design Review Board may discuss, consider, and give guidance to a proposal at an early stage in the design process, provided that the Design Review Board has time available for such consideration. No formal action is to be taken by the Design Review Board in such consultations.
2. Mandatory design review shall be undertaken on all planned unit developments, subdivisions, signs and other facilities as identified in Section 7451 and as required by individual zone regulations.

(b) Submission for Mandatory Review. Proposals for which mandatory design review is required shall be subject to the following:

1. Planned Unit Developments. Information to be included within planned unit development design review, specified at Section 8202, shall be



submitted to the Design Review Board as a condition of the Final Plan Review specified at Section 8282(b).

2. Standard Subdivision Review. Information to be included within standard subdivision design review, specified at Section 8202, shall be submitted to the Design Review Board during the tentative and final map review, specified at Sections 6.5 and 8.6 of the Subdivision Ordinance.
3. Minor Subdivision Review. Information to be included within minor subdivisions shall be as required by the Design Review Board, acting in association with the Subdivision Committee, pursuant to that Committee's review of Minor Subdivisions as specified at Section 9.6 of the Subdivision Ordinance.
4. Submissions Considered Individually And Not As Part Of Another Review Process. Applications for design review which is not subject to the provisions of Section 8201(b) 1, 2, 3 shall be made by the owner of the affected property or his authorized agent, on a form prescribed by the Department of Environmental Affairs and shall be filed with such Department. The application shall be accompanied by such information specified in Section 8202 as augmented or modified by the Director, Department of Environmental Affairs, and by a fee as referenced in the Fee Schedule at Section 8450.

SECTION 8202 SUBMISSION REQUIREMENTS FOR DESIGN REVIEW. The following information shall be submitted to the Department of Environmental Affairs as the general

design review submission requirements, except as individual provisions are augmented or waived by the Director as being inappropriate or unnecessary for a full presentation of the proposal:

(a) Site plan, to scale, showing dimensions and orientation of parcels, streets, locations and proposed uses of buildings, location of parking and loading areas (including number of spaces), walkways, planting areas, trash enclosures, fences or walls, and other structures or site features.

(b) Elevation drawings, to scale, showing building height, architectural forms and detailing types of exterior materials and general color scheme.

(c) Floor plans showing general room layout, entrances and windows.

(d) Landscape plans showing location of lawn areas, ground cover areas, shrub masses, and existing and proposed tree locations.

(e) Two sectional drawings of the site, approximately through the middle with the sections at right angles to each other, showing the existing grade, proposed grade and relationship of buildings and parking areas to the finish grade.

(f) Signs which require approval, including such information as specified within the General Sign Regulations at Section 7026(b).

(g) Such other plans as may reasonably be required to assure compliance with design review criteria, including but, not limited to: parking lot striping; location, and dimensions of planters and curbing; drive approaches and other off site improvements; street dedications; locations and detailed plans of walls and fences, benches, walkways, all exterior lighting fixtures (including details of supports, shielding, diffusers and type and wattage of bulbs); final elevation drawings including all exterior details,

materials, and samples of materials and colors; final floor plans; final grading and drainage plans including method of carrying water to street; complete detailed prepared landscape plans, including botanical names and sizes of all plant materials, and full coverage irrigation plans; and all mechanical equipment and method of screening from view.

#### SECTION 8203 REVIEW AUTHORITY.

(a) Department of Environmental Affairs. Except on the finding by the Director, Department of Environmental Affairs, that proposed physical alterations to existing facilities are not minor in character, are beyond the scope of incidental remodeling, additions, and extensions, and that such alterations measurably change the visual setting or appearance of a facility, then the Director shall have review authority for all design review applications submitted under the provisions of Section 8201(b)4 wherein design review is not part of another review process. The Director may, at his discretion, refer any application to the Design Review Board rather than acting on it himself.

(b) Design Review Board. The Design Review Board shall consider all applications which are subject to design review but are beyond the scope of the Department of Environmental Affairs, including but not limited to physical alterations to existing facilities which are not minor in character, are beyond the scope of incidental remodeling, additions, and extensions, and which may measurably alter the visual setting and appearance of a facility. The Design Review Board shall also consider all applications referred by the Department of Environmental Affairs and shall have review authority for all signs included as part of a planned unit development,

standard subdivision, minor subdivision, or new building or structure which is subject to design review.

SECTION 8205 ACTION ON APPLICATIONS. The Director or the Design Review Board, as the case may be, shall review the submitted application to determine whether it conforms to the standards and criteria set forth in the Design Review Regulations at Sections 7453 and 7454, and in the Sign Regulations as set forth at Sections 7041 and 7042, and such other criteria or standards considered applicable, and may approve, or disapprove the application or recommend such changes therein or such reasonable conditions of approval as are in the judgement of the Director or the Design Review Board, as the case may be, necessary to ensure conformity to said standards and criteria. A determination of the Department of Environmental Affairs shall become final 10 days after the date of decision unless appealed to the Design Review Board in accordance with the provisions of Section 8207(a). A decision of the Design Review Board shall become final 10 days after the date of decision unless appealed to the City Council in accordance with the provisions of Section 8207(b).

#### SECTION 8206 DESIGN REVIEW BOARD.

(a) Composition. A Design Review Board is hereby established which shall consist of five members, as follows, and which shall be served in a staff capacity by, the Department of Environmental Affairs:

1. Two shall be architects, licensed under the Business and Professions Code of the State of California;



2. Two shall be members of a design profession, at least one of whom shall be in the graphic arts profession;

3. One shall be a member of the advertising or marketing profession.

(b) Appointment and Term of Office. The members of the Design Review Board shall be appointed by the City Manager and approved by the City Council. The term of office for voting members shall be four years, except that the term of office of two of the members appointed to the first Board shall expire after two years. Any Board member whose term has expired shall continue to hold office until a successor has been appointed and qualified. Any vacancy occurring during an unexpired term shall be filled for the remainder thereof in the same manner as the original appointment. At its first meeting of each calendar year, the Design Review Board shall elect one of its members to serve as chairman and one as vice chairman for the ensuing year. A member of the Design Review Board may be removed by either of the following: the City Manager, subject to the approval of the City Council; or by a three-fifths vote of the City Council.

(c) Rules. The Design Review Board shall adopt rules and regulations for the conduct of its business. Approval, conditional approval, or denial of an application shall be by a simple majority vote. A tie vote on a motion to approve shall constitute a failure of the motion and a denial of the application.

(d) Staff Functions.

1. The Director of the Department of Environmental Affairs or his authorized agent shall serve as the official secretary to the Design Review Board.

All meetings shall be tape recorded with action minutes of the proceedings transcribed. The records of all proceedings and the basis for all findings shall be available to the Planning Commission, the City Council, and the public.

2. The Department of Environmental Affairs shall provide the Design Review Board with such background and information deemed necessary for a complete understanding of the design considerations of each application. For each application considered by the Design Review Board, the Department of Environmental Affairs shall provide recommendations for approval, disapproval, or for the imposition of such changes or reasonable conditions of approval as are in its judgement necessary to ensure conformity to design review criteria.

(e) Meetings. The Design Review Board shall meet at intervals, at least once each month, on regularly scheduled dates.

## SECTION 8207 APPEALS.

(a) Appeals to the Design Review Board. Appeals from decisions of the Director, Department of Environmental Affairs, on the determination of review authority, pursuant to Section 8203, or on a determination of conformity to Design Review Regulations or Sign Regulations, as the case may be, shall be made within 10 days of the date of decision to the Design Review Board. Such appeals shall be made on a form prescribed by the Department of Environmental Affairs and shall be filed with such Department. The appeal shall state specifically wherein it is claimed there was an error or abuse of discretion or wherein the decision is not supported by the evidence in

the record. In considering such appeal, the Design Review Board shall determine whether the design conforms to criteria and limitation at Sections 7453, 7454, 7041 and 7042, as appropriate, and may approve or disapprove the application or require such changes therein or impose such conditions of approval as are in its judgment necessary to ensure conformity to said criteria. The decision of the Design Review Board shall become final within 10 days of the date of decision unless appealed to the City Council in accordance with the provisions of Section 8702 (b).

(b) Appeals to the City Council. Decisions of the Design Review Board may be appealed within 10 days of the date of decision by any interested party to the City Council. Such appeals shall be made on a form prescribed by the Department of Environmental Affairs and shall be filed with such Department. The appeal shall state specifically wherein it is claimed there was an error or abuse of discretion or wherein the decision is not supported by the evidence in the record. In considering such appeal, the City Council shall determine whether the design conforms to criteria and limitations at Section 7453, 7454, 7041, and 7042, as appropriate, and may approve or disapprove the application or require such changes therein or impose such conditions of approval as are in its judgment necessary to ensure conformity to said criteria. The decision of the City Council shall be final.

SECTION 8208 ADHERENCE TO APPROVED PLANS. A design review approval shall be subject to the plans and other conditions upon the basis of which it was granted. Unless a different termination date is prescribed, the approval shall terminate one year

from the effective date of its granting unless actual construction, alteration, or painting has begun under necessary permits within such period. However, such period of time may be extended by the original reviewing officer or body, upon application filed at any time before said period has expired.



## PLANNED UNIT DEVELOPMENT PROCEDURE

SECTION 8250 TITLE AND PURPOSE. The provisions of Section 8250 through Section 8299, inclusive, shall be known as the Planned Unit Development Procedures. The purpose of these provisions is to prescribe the procedures for the review of proposed planned unit developments whereby exceptions may be granted to standards for area, coverage, density, yards, parking, screening, and such other requirements as established by the Zoning Regulations.

### SECTION 8251 APPLICATION

(a) Mandatory Application. Application of the planned unit development procedures prescribed hereinafter shall be mandatory when governed by one of the following conditions:

1. The site is in an S-5 Planned Unit Development Combing Zone.
2. The site is within a "C" or "I" Zone where permitted or conditionally permitted activities or facilities have not been established.
3. The site is within a "C" or "I" Zone and is four acres or more in size.
4. The site is within an "R" Zone and 100 acres or more in size.
5. The site is within an "R" Zone and an increase over the base density is requested, pursuant to the Residentail Density Increase Provisions.

(b) Optional Application. Any residential use may apply for processing under the provisions of the Planned Unit Development Procedures.

## SECTION 8252 COORDINATION WITH SUBDIVISION REGULATION.

(a) Simultaneous Review. Subdivision review under the Subdivision Ordinance may be carried out simultaneously with the Planned Unit Development Procedures prescribed hereinafter.

(b) Format. The development plans submitted pursuant to Sections 8271 and 8281 shall be submitted in a form to satisfy requirements of the Subdivision Ordinance for tentative and final maps and required data.

(c) Application. The requirements prescribed in this Planned Unit Development Procedure and those of the subdivision regulations shall apply to all planned unit developments.

SECTION 8253 GENERAL PROCEDURES FOR CONSIDERATION. Application for a planned unit development shall be made by the owner of the affected property or his authorized agent, on a form prescribed by the Department of Environmental Affairs and shall be filed with such Department. The application shall be accompanied by such information as required under this Procedure and submitted in a quantity specified by the Director. The Planned Unit Development Procedure shall include a three-part process: an initial review, a development plan review, and an administrative follow-up.

## SECTION 8260 INITIAL REVIEW PROCESS.

(a) Intent. The initial review process is designed to inform an applicant of regulations and policies of the City of Simi Valley, to inform the Department of Environmental Affairs and the Planning Commission of the applicant's intentions, and

to provide an opportunity to identify environmental considerations associated with a proposed development before a substantial commitment of resources occurs.

(b) Elements of the Process. The initial review process, described in Section 8260 through 8269 inclusive, includes the following elements: submission by the applicant of a Generalized Development Plan, an Initial Review Conference held by the Department of Environmental Affairs and the applicant, submission by the applicant of an Environmental Setting Survey when required by the Director and, in those cases where an Environmental Setting Survey is prepared, an informational presentation of the Generalized Development Plan and the Environmental Setting Survey to the Planning Commission shall also be required.

(c) Required Submission. An application for the initial review process of the Planned Unit Development Procedure shall be submitted by the applicant or his authorized agent on a form prescribed by the Department of Environmental Affairs and shall be filed with that Department. The application shall be accompanied by information specified in Section 8261 and by such additional information as required by the Director. Fees for the initial review process shall become payable subsequent to the determination of impact specified at Section 8263.

SECTION 8261 GENERALIZED DEVELOPMENT PLAN. The applicant shall submit to the Department of Environmental Affairs the following information unless waived or as augmented by the Director, prior to the Initial Review Conference:

(a) A generalized narrative specifying the concept of development, including site location, total acreage, proposed uses and activities, proposed densities, and physical land alteration required by the development.

(b) A generalized narrative describing the character and use of the site and of adjoining properties, both currently and as proposed, and the relation of such uses to one another and to the Simi Valley General Plan.

(c) A generalized site plan showing the entire parcel with schematic indications of approximate locations of buildings, parking and loading areas, public and private open spaces, walkways, planting areas, etc.

SECTION 8262 INITIAL REVIEW CONFERENCE. Upon receipt of the Generalized Development Plan, the Department of Environmental Affairs shall schedule and hold an Initial Review Conference with the applicant. At said Conference, the applicant shall or his authorized agent, shall present information submitted pursuant to Section 8261 and receive comments from City staff attending the conference. At the discretion of and as deemed desirable and necessary by the Director, representatives from any City or public department, agency, board, or panel including but not limited to the Design Review Board and the Department of Public Services may be invited to attend the Conference.

SECTION 8263 DETERMINATION OF MINOR OR MAJOR IMPACT. Within 15 days following the submission of the completed Generalized Development Plan, the Director shall determine if the proposed development is of minor impact and is to be exempt from the preparation and submission of the Environmental Setting Survey. Criteria for the determination of minor impact shall include those specified in "Article 8: Categorical Exemptions" to the Environmental Impact Report requirements as indicated in the "Guidelines for Implementation of the California Environmental Quality Act of



1970, as amended December 17, 1973", and any subsequent amendments thereto.

(a) **Determination of Minor Impact.** On the finding that the proposed development is of minor impact, the Minor Impact Review Procedure at Section 8290, shall apply.

(b) **Determination of Major Impact.** If a project is determined to be of major impact, the applicant shall be required to prepare and submit an Environmental Setting Survey as a requirement of the initial review process. The applicant shall further be notified in writing by the Department of Environmental Affairs that an Environmental Impact Report shall be required for the proposal during the Development Plan Review Process. Any decision made pursuant to this Section may be appealed by any interested party pursuant to the Administrative Appeal Procedure at Section 8100.

#### SECTION 8264 ENVIRONMENTAL SETTING SURVEY.

(a) **Content.** An Environmental Setting Survey (ESS) shall describe the environmental resources of the property and analyze in general terms the constraints that such resource characteristics place on land development. The Survey shall include the following elements which may be based on existing data where available.

1. A topographic analysis, including description of distinct subunits or natural areas within the property, and accompanied by a map detailing elevations, contours and slopes.
2. A geologic analysis, including identification, locational description and mapping of the major geologic units and identification and mapping of areas of landslide potential.

3. A soil analysis which includes a description and mapping by soil type classifications, seismic condition and description of surface water conditions.
4. A hydrologic analysis including descriptions of surface drainage patterns flow quantity, and ground water conditions.
5. A description and analysis of vegetation and plant communities.
6. A visual analysis of the major components of the property's scenic landscape resources, including designation of viewsheds, landscape features, landscape characteristics, and scenic areas as defined in the General Plan of the City of Simi Valley.
7. A description and analysis of wildlife groups and wildlife habitats.
8. An inventory of known cultural features.

SECTION 8265 PRESENTATION TO PLANNING COMMISSION. Within 15 days of submission of the completed Environmental Setting Survey to the Department of Environmental Affairs, an informational presentation to the Planning Commission shall be made by the applicant of the Generalized Development Plan and the Environmental Setting Survey. No formal action shall be taken by the Planning Commission.

#### SECTION 8270 DEVELOPMENT PLAN REVIEW PROCESS.

(a) Intent. The Development Plan Review Process shall provide an opportunity for detailed review of proposed developments by the City of Simi Valley and the general public.

(b) Elements of the Process. The Development Plan Review Process as prescribed in Section 8270 through Section 8279 inclusive, includes the following elements: submission by the applicant of a detailed Development Plan; a Development Plan Review Conference; preparation of an Environmental Impact Report; review of the Development Plan and impact report by the Department of Environmental Affairs and other public and private agencies and departments; public review of and response to the Development Plan and Environmental Impact Report through one or more public hearings; and formal action by the Planning Commission on the Development Plan and Environmental Impact Report.

#### SECTION 8271 DEVELOPMENT PLAN.

(a) Application. All proposals submitted under the Planned Unit Development Procedure shall be required to prepare and submit to the Department of Environmental Affairs a Development Plan, unless the proposed development has been determined to be of minor impact. Submission of the Development Plan shall be made within one year from the time of the informational presentation to the Planning Commission as described at Section 8265.

(b) Contents. A Development Plan shall be based on the Generalized Development Plan presented to the Planning Commission in the Initial Review Process. All elements required within the Development Plan shall be characterized as existing or proposed, and sufficiently detailed to indicate intent and impact. Description of the proposed development shall include, and be equivalent to, the description of the project under the California Environmental Quality Act of 1970, Section 15141, and shall

include an assessment of the need for the project. The following elements shall be included in the Development Plan:

1. An overall development scheme which states the development intentions of the landowner respecting his property, including but not limited to the following: a statement of location and intensity of proposed uses and activities including public and private open spaces; a physical description of proposed facilities accommodating such uses, including types of structures and landscape and circulation elements; a statement of location and general configuration of lands to be dedicated for public open space and other public uses; a general designation of utilities; a general statement of form of site management proposed in areas of significant natural, cultural or social resources; and a statement detailing the consistency of the proposed development project with major public development programs, including but limited to freeways, highways, parks, trails, open spaces, utility transmission lines and the phasing schedules of proposed major public facilities.
2. A set of renderings of the entire development, accompanied by narratives as required, indicating: perimeter boundaries of the site; streets, drive-ways, sidewalks and pedestrian-ways, and off-street parking and loading areas; location and approximate dimension of structures; utilization of structures, including activities and the number of living units; reservations for public uses, including schools, parks, playgrounds, and other open



spaces; major landscaping features; and renderings clearly establishing the scale, character and relationship of buildings, streets and open spaces.

3. A set of maps and statements providing information on the character and use of the surrounding area within 300 feet of the limits of the development.
4. A background report prepared for the entire development, including: a preliminary title report of the land included within the boundaries of the site; a preliminary development schedule including anticipated timing for commencement and completion of each phase of development, tabulation of the total number of acres in each separate phase and percentage of such acreage to be devoted to particular uses, and indication of the proposed number and type of dwelling unit by phase of development; a preliminary population schedule, including estimated residential population for the entire project at its completion and for each type of dwelling unit for each phase of development, calculation of the average residential density per gross acre and per net residential acre by phase, and estimated non-residential population for each phase of development; an indication of the retail sales areas to be served by any non-residential facilities included in the proposal and sufficient economic data to support such non-residential activities and facilities; and engineering feasibility studies.

include an assessment of the need for the project. The following elements shall be included in the Development Plan:

1. An overall development scheme which states the development intentions of the landowner respecting his property, including but not limited to the following: a statement of location and intensity of proposed uses and activities including public and private open spaces; a physical description of proposed facilities accommodating such uses, including types of structures and landscape and circulation elements; a statement of location and general configuration of lands to be dedicated for public open space and other public uses; a general designation of utilities; a general statement of form of site management proposed in areas of significant natural, cultural or social resources; and a statement detailing the consistency of the proposed development project with major public development programs, including but limited to freeways, highways, parks, trails, open spaces, utility transmission lines and the phasing schedules of proposed major public facilities.
2. A set of renderings of the entire development, accompanied by narratives as required, indicating: perimeter boundaries of the site; streets, drive-ways, sidewalks and pedestrian-ways, and off-street parking and loading areas; location and approximate dimension of structures; utilization of structures, including activities and the number of living units; reservations for public uses, including schools, parks, playgrounds, and other open

spaces; major landscaping features; and renderings clearly establishing the scale, character and relationship of buildings, streets and open spaces.

3. A set of maps and statements providing information on the character and use of the surrounding area within 300 feet of the limits of the development.
4. A background report prepared for the entire development, including: a preliminary title report of the land included within the boundaries of the site; a preliminary development schedule including anticipated timing for commencement and completion of each phase of development, tabulation of the total number of acres in each separate phase and percentage of such acreage to be devoted to particular uses, and indication of the proposed number and type of dwelling unit by phase of development; a preliminary population schedule, including estimated residential population for the entire project at its completion and for each type of dwelling unit for each phase of development, calculation of the average residential density per gross acre and per net residential acre by phase, and estimated non-residential population for each phase of development; an indication of the retail sales areas to be served by any non-residential facilities included in the proposal and sufficient economic data to support such non-residential activities and facilities; and engineering feasibility studies.

SECTION 8272 DEVELOPMENT PLAN REVIEW CONFERENCE. Within 20 days of receipt of the completed Development Plan, the Department of Environmental Affairs shall schedule and hold a Development Plan Review Conference the purpose of which is to provide an opportunity for the applicant and the Department of Environmental Affairs, and representatives from other departments or agencies invited by the Director, to review the Development Plan. At least the following shall be considered at the Conference: compliance of various elements proposed in the Development Plan with applicable planning and zoning regulations of the City of Simi Valley; new information, if any, not previously noted in the Generalized Development Plan that would necessitate the inclusion of supplemental information in the Environmental Setting Survey to comply with guidelines and requirements of the California Environmental Quality Act of 1970; and particular subjects proposed in the Development Plan to receive special detailed attention in the Environmental Impact Report.

#### SECTION 8273 ENVIRONMENTAL IMPACT REPORT.

(a) Preparation. Within 20 days following the review conference, an Environmental Impact Report shall be prepared in accordance with the "Guidelines for Implementation of the California Environmental Quality Act, as amended December 17, 1970", or any amendments hereafter.

(b) Staff Review. A period of five days shall be provided on completion of the Environmental Impact Report for staff review. Public review shall only follow completion of staff review.

(c) Public Review. A period of 30 days shall be provided on completion of the Environmental Impact Report for public review.



## SECTION 8274 PUBLIC HEARING BEFORE PLANNING COMMISSION.

(a) Environmental Impact Report. Within 10 days following the conclusion of the public review of an Environmental Impact Report, a public hearing shall be held before the Planning Commission for formal action on the said Report. Within 15 days of such hearing, the Commission shall accept or reject the Report, based on its determination as to completeness and accuracy.

(b) Development Plan. Within 10 days following the conclusion of the public review of an Environmental Impact Report, a public hearing shall be held before the Planning Commission for formal action on the proposed development. When appropriate, a public hearing may also consider material submitted as required by the Subdivision Ordinance. Within 15 days of said hearing, the Commission shall render a decision on the application and the Development Plan based on the conformity of those documents to the Development Review Regulations at Section 7550, the Planned Unit Development Regulations at Section 7560, and, when applicable, to the requirements for Quality Ratings which may have been applied under the provisions of the Residential Density Increase Provisions at Section 3050. Such decision shall only be rendered, however, after an Environmental Impact Report on the proposed development has been approved.

## SECTION 8275 PLANNING COMMISSION DECISION.

(a) Environmental Impact Report. Within 15 days after conclusion of a public hearing on an Environmental Impact Report, the Planning Commission shall accept or reject the submitted Environmental Impact Report based on its determination as to the completeness and accuracy of the said report.

(b) Development Plan. Action taken by the Planning Commission on a submitted Development Plan may be any one of the following:

1. Full Approval, which is unconditional and final but is subject to the issuance of certificates of compliance by the City, pursuant to the provisions at Section 8282.
2. Conditional Approval, wherein certain changes are required, or certain conditions of approval have been imposed, as deemed necessary and desirable in the judgement of the Planning Commission to ensure conformity to applicable criteria and standards, including those prescribed in Section 7560, the Planned Unit Development Regulations. Compliance with such specifications constitute a condition for the issuance of certificates of compliance by the City, pursuant to the provisions at Section 8282.
3. Denial, when the Planning Commission finds that the proposed development does not meet applicable criteria and standards.

(c) Effective Date. Planning Commission action on an Environmental Impact Report shall become effective when the decision is rendered. Approval or denial of a Development Plan shall become effective 10 days after a decision is rendered, provided however that no appeal has been made by any interested party, including the applicant, to the City Council in accordance with Section 8276.

SECTION 8276 APPEAL TO CITY COUNCIL. An appeal from a decision of the Planning Commission on a submitted Development Plan may be made to the City Council

by any interested party, including the applicant. Such appeal shall be made in a form prescribed by the Department of Environmental Affairs and must be filed within 10 days of the date of the Commission's decision to the City Clerk. The appeal shall state specifically wherein it is claimed there was an error or abuse of discretion or wherein the decision is not supported by the evidence in the record. In considering such appeal, the City Council shall determine whether the proposal conforms to the regulations and criteria of Section 7560 and Section 3050 inclusive, as appropriate, and may approve or disapprove the application or require such changes therein or impose such conditions of approval as are in its judgment necessary to ensure conformity to said regulations and criteria. The decision of the City Council shall be final.

#### SECTION 8280 ADMINISTRATIVE FOLLOW-UP.

(a) Intent. Administrative Follow-Up enables specified City departments to review the Final Development Plan prior to issuance of certificates of compliance and applicable permits.

(b) Elements of the Process. Administrative Follow-Up, described in Section 8280 through Section 8289, inclusive, includes the following: submission of the Final Development Plan by the applicant to the Department of Environmental Affairs; administrative review of the submitted plan by the Department of Environmental Affairs, the Design Review Board and the City Engineer for compliance with applicable regulations and codes, and any conditions of approval as appropriate; and issuance of certificates of compliance by said City departments.

(c) Required Submission. Administrative Follow-Up in the Planned Unit Development Procedure requires that the applicant or his authorized agent shall submit to the Department of Environmental Affairs, in a form prescribed by that Department, such information specified in Section 8281, and any additional information as required by the Director. The submittal shall also be accompanied by a fee as referenced in Section 8450 Fee Schedule.

#### SECTION 8281 FINAL DEVELOPMENT PLAN.

(a) Time Limitation. Within 18 months of approval of the Development Plan by the Planning Commission, the applicant shall file with the Department of Environmental Affairs a Final Development Plan for the entire development or, when submission in stages has been authorized by the Planning Commission pursuant to its review of the Development Plan, for the first unit or stage of development.

(b) Contents. The Final Development Plan shall conform in all major respects with the approved Development Plan. In addition to all elements specified in Section 8271(b), the Final Development Plan shall include, in maps and narratives as appropriate, the following elements:

1. The location of water, sewerage, and drainage facilities.
2. Detailed building and landscaping plans and elevations.
3. Character and location of signs.
4. Plans for street improvement.
5. Grading or earth-moving plans.
6. Application for any permits required by the City of Simi Valley.



7. Legal documents required for the dedication or reservation of group or common open spaces, for the creation of a nonprofit homeowners association, or for performance bonds.
8. Any additional information required under provisions of the Design Review Procedure not previously included in the Development Plan.
9. Changes, if any, as required by the Planning Commission as condition for its approval.
10. As appropriate, the final plan may be submitted concurrently with a final subdivision map and a zone change application.

#### SECTION 8282 FINAL PLAN REVIEW.

(a) City Engineer. Within five days after submission of the completed Final Development Plan, the Department of Environmental Affairs shall forward such document and the original application to the City Engineer for review of public improvements, including streets, sewers, and drainage, and for review of compliance with all applicable building codes and conditions of approval, as specified by the Planning Commission, that relate to public improvements. Within 25 days of the transmittal, the City Engineer shall consider all pertinent information and shall render a decision on compliance. On the findings that the Final Development Plan complies with applicable codes and regulations and other specified conditions of approval, the City Engineer shall notify the Department of Environmental Affairs of such compliance.

(b) Design Review Board. Within five days after the submission of the completed Final Development Plan, the Department of Environmental Affairs shall forward to

the Design Review Board all information pertinent to design review. Within 25 days, the Board shall consider such information submitted pursuant to Section 8202 of the Design Review Procedures, and shall render a decision on the compliance of the Final Development Plan with the approved Development Plan as well as regulations and criteria as set forth in Sections 7453, 7454, 7041, and 7042, and shall notify the Department of Environmental Affairs of such compliance.

(c) Department of Environmental Affairs. Within 30 days after submission of a completed Final Development Plan, the Department of Environmental Affairs shall examine such Plan and determine whether it conforms to the Development Plan approved by the Planning Commission and whether changes and conditions of approval specified by the Commission have been met. Within five days of such satisfactory determination of compliance, provided that the City Engineer and the Design Review Board have indicated compliance, the Department shall issue a certificate of compliance to the applicant.

SECTION 8283 NONCOMPLIANCE. In cases where the City Engineer, the Design Review Board, or the Department of Environmental Affairs individually or jointly find any major departure from applicable criteria or standards, then the Final Development Plan shall be found in noncompliance and thereby denied.

SECTION 8284 APPEALS TO CITY COUNCIL. An appeal from the decision of the Department of Environmental Affairs, the Planning Commission, or the Design Review

Board may be made to the City Council by any interested party. Such appeal shall be made in a form prescribed by the Department of Environmental Affairs and must be filed with said Department within 10 days of the date of denial. The appeal shall state specifically wherein it is claimed there was an error or abuse of discretion or wherein the decision is not supported by the evidence in the record. In considering such appeal, the City Council shall determine whether the proposal conforms to the requirements for compliance and may approve or disapprove the application or require such changes therein or impose such conditions of approval as are in its judgement necessary to ensure compliance to the Development Plan and such other standards, criteria, and regulations considered applicable. The decision of the City Council shall be final.

SECTION 8285 ISSUANCE OF PERMITS. No building or occupancy permits shall be issued to the applicant until certificates of compliance have been issued by the Department of Environmental Affairs.

SECTION 8290 MINOR IMPACT REVIEW PROCEDURE. On the finding that the proposed development is of minor impact, pursuant to Section 8263, the requirements for an Environmental Setting Survey, a Development Plan, and a Final Development Plan shall not apply. Instead, such applicants shall secure a certificate of compliance from the Director of the Department of Environmental Affairs, certifying that all applicable criteria contained within Section 7560, Planned Unit Development Regulations, have been met prior to the issuance of any other required permits.

## SECTION 8295 EFFECTS OF DEVELOPMENT PLAN ACTION.

(a) Resubmission. Whenever an application for a Planned Unit Development has been denied, no application for the same area or any portion thereof shall be filed by the same applicant within six months after the date of denial.

(b) Adherence to Approved Plan. The applicant shall agree in writing to be bound, for himself and his successors in interest, by the conditions prescribed for approval of the development. The approved Development Plan and stage development schedule shall control the issuance of all building permits and shall restrict the nature, location, and design of all uses. Minor changes in an approved Final Development Plan may be approved by the Director of the Department of Environmental Affairs if such changes are consistent with the purposes and general character of the approved Plan. All other modifications, including extension or revision of the staged development schedules, shall be processed in the same manner as the original application and shall be subject to the same procedural requirements.

(c) Mapping. Whenever a planned unit development application has been approved and so long as the approval is in effect, the boundary of the planned unit development shall be indicated on the Zoning Map of the City of Simi Valley.

(d) Revocation. In the event of a failure to comply with the approved Final Development Plan or any prescribed condition of approval, including failure to comply with the stage development schedule, the Planning Commission may, after notice and hearing, revoke a planned unit development approval. The determination of the Commission shall become final 10 days after the date of decision unless appealed to the City Council.



## REZONING AND LAW CHANGE PROCEDURE

SECTION 8300 TITLE AND PURPOSE. The provisions of Section 8300 through Section 8349 inclusive shall be known as the Rezoning and Law Change Procedure. The purpose of these provisions is to prescribe the procedure by which changes may be made in the text of the Zoning Regulations and in the application thereof to specific properties. This procedure shall apply to all proposals to rezone property, to change the text of the Zoning Regulations, or to establish, amend, or delete any development control map.

### SECTION 8301 INITIATION.

(a) Private Party Initiation: The owner of any property, or his authorized agent, may make application to the Planning Commission to rezone such property, or to amend or delete any development control map applicable thereto.

(b) Planning Commission Initiation: The Planning Commission may, and upon request of the City Council shall, initiate action to rezone any property, to change the text of the Zoning Regulations, or to establish, amend, or delete any development control map.

SECTION 8302 PRIVATE PARTY APPLICATION AND SUBMITTAL. A private party application shall be made by the owner of the affected property, or his authorized agent, in a form prescribed by the Department of Environmental Affairs and shall be filed with such Department. The application shall be accompanied by a description of the property or such other information as may be required by the Planning Commission, and by the fee referenced in the Fee Schedule at Section 8450.

## SECTION 8303 PROCEDURE FOR CONSIDERATION FOR PRIVATE PARTY APPLICATION.

(a) **Public Hearing:** In the case of private party initiation, the Planning Commission shall hold a public hearing on the application within 30 days after the date of application.

(b) **Planning Commission Action.** The Commission shall consider whether the existing zone or regulations applicable to the property under consideration are inadequate or otherwise contrary to the public interest, and may approve, modify, or disapprove the private party application, or decide with the consent of the applicant to defer action until necessary studies and plans shall have been completed.

(c) **Period of Consideration.** Within 30 days following the public hearing the Commission shall render a decision on the application. In case of approval or modified approval the Commission shall, within five days of its decision, forward its recommendation to the City Council for appropriate action. In case of denial of a private party application, the decision of the Commission shall become final 10 days after the date of the decision unless appealed to the City Council in accordance with Section 8307.

## SECTION 8304 COUNCIL ACTION ON PRIVATE PARTY APPLICATION.

(a) **Action on Affirmative Decisions:** Within 10 days after the date of an affirmative decision by the Planning Commission which has not been appealed, a time shall be set for a hearing before the City Council.

(b) **Appeal to Council by Private Party:** Within 10 days after the date of an adverse decision by the Planning Commission on a private party application, an appeal from said decision may be taken to the City Council by the applicant. Such appeal

shall be made in a form prescribed by the Commission and shall be filed with the City Clerk. The appeal shall state specifically wherein it is claimed the Commission erred in its decision. The appeal shall be considered in accordance with Section 8307.

#### SECTION 8305 PROCEDURE FOR CONSIDERATION FOR PLANNING COMMISSION ACTION.

(a) Public Hearing: In the case of initiation by the Planning Commission, the Commission shall within a reasonable period of time hold a public hearing on the proposal.

(b) Planning Commission Action: The Commission shall consider whether the existing zone or regulations are inadequate or otherwise contrary to the public interest, and may approve, modify, or disapprove the proposal, or may defer action until completion of such studies or plans as may be necessary to determine the advisability of the proposal.

(c) Period of Consideration: Within 60 days after the date of the hearing the Commission shall make a decision on the proposal. In case of approval or modified approval, the Commission shall forward the proposal with its recommendation to the City Council for appropriate action.

#### SECTION 8307 PROCEDURE FOR CONSIDERATION FOR CITY COUNCIL ACTION.

Upon receipt of an appeal by a private party, or upon receipt of a recommendation from the City Planning Commission, the City Council shall set the time for consideration of the matter. In the case of an appeal by a private party, the City Clerk shall notify the Secretary of the Commission of the receipt of the appeal and of the time set for

consideration thereof; and said Secretary shall, not less than 10 days prior to the date set for the hearing on the appeal, give written notice to the appellant and to any known adverse parties, or to their representatives, of the time and place of the hearing. Upon an appeal by a private party, or upon the receipt of a recommendation from the Planning Commission, the Council may approve, modify, or reverse the decision or may approve, modify, or disapprove the Commission's recommendations, as the case may be. The decision of the Council shall be final.

SECTION 8308 LIMITATION ON RESUBMISSION. Whenever a private party application has been denied by the City Council, no such application for the same proposal affecting the same property, or any portion thereof, shall be filed within one year after the date of denial.



## **GENERAL PLAN AMENDMENT PROCEDURE**

SECTION 8350 TITLE AND PURPOSE. The provisions of Section 8350 through Section 8399 inclusive shall be known as the General Plan Amendment Procedure. The purpose of these provisions is to prescribe the procedure by which changes may be made in the text, maps, charts, and tables of the General Plan of the City of Simi Valley, and in the application thereof to specific areas, properties, and policies.

SECTION 8351 FREQUENCY AND MANNER OF CONSIDERATION. The Simi Valley General Plan shall be amended no more than three times each calendar year with all proposals grouped for consideration within each amendment period.

SECTION 8352 ENVIRONMENTAL IMPACT REPORT REQUIREMENTS. Determination of the requirement for an Environmental Impact Report shall be made by the Director, Department of Environmental Affairs. Such reports, as required by the Director, shall be prepared in advance of the formal consideration of General Plan amendments.

SECTION 8353 ACCEPTANCE OF SUBMITTALS. Notwithstanding the provisions and requirements of individual sections of the Zoning Regulations, no application for any use on development shall be accepted by the City if the adoption of said application would be inconsistent with the General Plan of the City of Simi Valley. The determination of consistency shall be made by the Director, Department of Environmental Affairs, and may be appealed pursuant to the Administrative Appeal Procedure at Section 8100.

## SECTION 8354 PROCEDURE FOR PLANNING COMMISSION CONSIDERATION.

(a) Initiation: The Planning Commission may, and upon request of the City Council, shall, consider amendments to the Simi Valley General Plan.

(b) Public Hearing: A public hearing before the Planning Commission shall be held to consider amendments to the Simi Valley General Plan.

(c) Planning Commission Action: In reviewing a proposed amendment to the Simi Valley General Plan, the Planning Commission shall consider whether the amendment is consistent with the overall intent, as well as the latter, of the unamended portions of the General Plan, and shall further consider the cumulative impact of all amendments on General Plan policy and land use recommendations.

(d) Period of Consideration: Within 60 days after the date of hearing, the Planning Commission shall recommend acceptance or denial for each separate amendment to the General Plan. Recommendations pursuant to the consistency and cumulative impact criteria shall be submitted by the Planning Commission in writing to the City Council.

## SECTION 8355 PROCEDURE FOR CITY COUNCIL CONSIDERATION.

(a) Public Hearing: A public hearing before the City Council shall be held to consider amendments to the Simi Valley General Plan.

(b) City Council Action: In reviewing a proposed amendment to the Simi Valley General Plan, the Planning Commission shall consider submittals from the Planning Commission and shall determine if proposed amendments are consistent with the goals of the City of Simi Valley. The Council shall accept or deny each proposed General Plan amendment separately. The decision of the Council shall become effective 10 days after the date of approval.

## **VARIANCE PROCEDURE**

**SECTION 8400 TITLE AND PURPOSE.** The provisions of Section 8400 through Section 8449 inclusive shall be known as the Variance Procedure. The purpose of these provisions is to prescribe the procedure for the relaxation of any substantive provision of the Zoning Regulations, under specific conditions, so that the public welfare is secured and substantial justice done most nearly in accord with the intent and purpose of the Zoning Regulations. This procedure shall apply to all proposals to vary the strict requirements of the Zoning Regulations.

**SECTION 8401 APPLICATION AND SUBMITTAL.** Application for a variance shall be made by the owner of the affected property, or his authorized agent, in a form prescribed by the Department of Environmental Affairs and shall be filed with such Department. The application shall be accompanied by such information including, but not limited to, site and building plans, drawings and elevations, and operational data, as may be required to permit the review of the proposal in the context of the required findings, and by the fee referenced in the Fee Schedule at Section 8450.

**SECTION 8402 PROCEDURE FOR CONSIDERATION.**

(a) **Major Variances:** An application for a variance from a provision of the Zoning Regulations with respect to permitted activities or facilities, number of required-off-street parking spaces or loading berths, performance standards, minimum lot area, restrictions on the location of activities within a structure, or maximum size of the

activities conducted by a single firm (collectively referred to herein as "major variance") shall be considered by the Planning Commission. A public hearing shall be held on each application, at which the Planning Commission shall determine whether the conditions required in Section 8403 or Section 8404 are present, and may grant or deny an application for a variance or require such changes in the proposed use or impose such reasonable conditions of approval as are in its judgment necessary to promote the purposes of the Zoning Regulations. The determination of the Commission shall become final 10 days after the date of decision unless appealed to the City Council in accordance with Section 8405.

(b) Minor Variances: An application for a variance from a provision of the Zoning Regulations other than those listed in Section 8402(a) (referred to herein as "minor variance") shall be considered by the Director of the Department of Environmental Affairs. However, the Director may, at his discretion, refer any application to the Planning Commission for consideration rather than acting on it himself. At his or its discretion, the Director or the Commission, as the case may be, may give such notice as is deemed appropriate to adjacent property owners or other affected parties; and, in cases referred by the Director to the Commission, a public hearing may be held before the Commission. The Director or the Commission, as the case may be, shall determine whether the conditions required in Section 8403 or Section 8404 are present, and may grant or deny an application for a variance or require such changes in the proposed use or impose such reasonable conditions of approval as are in his or its judgment necessary to promote the purposes of the Zoning Regulations. A determination by the Director of the Department of Environmental Affairs shall become final



10 days after the date of decision unless appealed to the Planning Commission in accordance with Section 8406. In cases which the Director refers to the Commission, the decision of the Commission shall be final.

(c) Period of Consideration: Should a decision not be rendered pursuant to Section 8402(a) or 8204(b) within 60 days after filing, the application shall be deemed approved unless said time has been extended by agreement between the Director of the Department of Environmental Affairs or the City Planning Commission, as the case may be, and the applicant.

SECTION 8403 FINDINGS REQUIRED. Except as otherwise provided in Section 8404, a variance may be granted only upon determination that all of the following conditions are present:

(a) That strict compliance with the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the purposes of the Zoning Regulations, due to unique physical or topographic circumstances or conditions of design; or, as an alternative in the case of a minor variance, that such strict compliance would preclude an effective design solution improving livability, operational efficiency, or appearance.

(b) That strict compliance with the regulations would deprive the applicant of privileges enjoyed by owners of similarly zoned property; or, as an alternative in the case of a minor variance, that such strict compliance would preclude an effective design solution fulfilling the basic intent of the applicable regulation.

(c) That the variance, if granted, will not adversely affect the character, liability, or appropriate development of abutting properties or the surrounding area, and will not be detrimental to the public welfare or contrary to adopted plans or development policy.

(d) That the variance will not constitute a grant of special privilege inconsistent with limitations imposed on similarly zoned properties or inconsistent with the purpose of the Zoning Regulations.

SECTION 8404 ALTERNATIVE FINDINGS FOR PRE-ENACTMENT VARIANCE. As an alternative to the findings required in Section 8403, a variance may be granted within one year after the effective date of the Zoning Regulations upon a determination that all of the following conditions are present:

(a) That the applicant initiated the preparation of plans for development prior to six weeks before the effective date of the Zoning Regulations and in complete adherence to the previously applicable zoning controls, so that no variance or other special approval would have been needed thereunder.

(b) That abandonment of such plans or revisions in accordance with the Zoning Regulations would result in substantial economic hardship in terms of expenditures on the preparation of plans.

(c) That the variance, if granted, will allow a development of sound and attractive design, which will not adversely affect the character, livability, or appropriate development of abutting property or the surrounding area, and will not be detrimental to the public welfare or contrary to adopted plans or development policy.

SECTION 8405 APPEAL TO COUNCIL-MAJOR VARIANCES. Within 10 days after the date of a decision by the City Planning Commission on an application for a variance from one of the provisions referred to in Section 8402(a), or on revocation of such a variance in accordance with Section 8408, an appeal from said decision may be taken to the City Council by the applicant, the holder of the variance, or any other interested party. Such appeal shall be made on a form prescribed by the Planning Commission and shall be filed with the City Clerk. The appeal shall state specifically wherein it is claimed there was an error or abuse of discretion by the Commission or wherein its decision is not supported by the evidence in the record. Upon receipt of such appeal the Council shall set the time for consideration thereof. The City Clerk shall notify the Secretary of the Planning Commission of the receipt of said appeal and of the time set for consideration thereof; and said Secretary shall, not less than 10 days prior to the date set for the hearing on the appeal, give to their representatives, notice of the time and place of the hearing. In considering the appeal the Council shall determine whether the conditions required by Section 8403 or Section 8404 are present, and may grant or deny an application for a variance or require such changes in the proposed use or impose such reasonable conditions of approval as are in its judgment necessary to carry out the purposes of the Zoning Regulations. The decision of the Council shall be final.

SECTION 8406 APPEAL TO CITY PLANNING COMMISSION-MINOR VARIANCES. Within 10 days after the date of a decision by the Director of the Department of Environmental Affairs on an application for a variance from one of the provisions

referred to in Section 8402 (b), an appeal from said decision may be taken to the Planning Commission by the applicant or any other interested party. Such appeal shall be made in a form prescribed by the Department of Environmental Affairs and shall be filed with such Department. The appeal shall state specifically wherein it is claimed there was an error or abuse of discretion by the Director or wherein his decision is not supported by the evidence in the record. Upon receipt of such appeal the Secretary of the City Planning Commission shall set the time for consideration thereof and, not less than 10 days prior thereto shall give written notice to the appellant and to any known adverse parties, or to their representatives, of the time and place of the hearing on the appeal. In considering the appeal the Commission shall determine whether the conditions required in Sections 8203 or 8204 are present, and may grant or deny an application for a variance or require such changes in the proposed use or impose such reasonable conditions of approval as are in its judgment necessary to carry out the purposes of the Zoning Regulations. The decision of the Commission shall be final.

SECTION 8407 ADHERENCE TO APPROVED PLANS. A variance shall be subject to the plans and other specified conditions upon the basis of which it was granted. Unless a different termination date is prescribed, the permit shall terminate one year from the effective date of its granting unless actual construction or alteration, or actual commencement of the authorized activities in the case of a variance not involving construction or alteration, has begun under valid permits within such period. However, such period of time may be extended by the original reviewing officer or body, upon application filed at any time before said period has expired.



SECTION 8408 REVOCATION. In the event of a violation of any of the provisions of the Zoning Regulations or in the event of a failure to comply with any prescribed condition of approval, or in the event that one year has elapsed since the granting of a variance and no building permit or sign permit has been issued pursuant thereto, or in the event that the authorized activities, in cases not requiring a building or sign permit, have not commenced within said period, the Planning Commission may, after notice and hearing, revoke any variance. In the case of a revocation of a variance from one of the provisions listed in Section 8402 (a), the determination of the Commission shall become effective 10 days after the date of decision unless appealed to the City Council in accordance with Section 8405. In the case of a revocation of a variance from one of the provisions referred to in Section 8402 (a), the decision of the Commission shall be final.

SECTION 8409 VARIANCE RELATED TO CONDITIONAL USE PERMIT, DESIGN REVIEW, PLANNED UNIT DEVELOPMENT, OR SUBDIVISION. Whenever a variance is required for a proposal also requiring a conditional use, design review, or planned unit development approval, application for the variance shall be included in the application for said approvals and shall be processed and considered as part of same. Whenever a variance is proposed for a facility located within a proposed residential subdivision, the application for the variance may be submitted with the Tentative Map, and may be processed and considered therewith. In either case, however, the reviewing officer or body shall, in considering such a variance, determine whether the conditions required in Section 8203 or Section 8204 are present.

## FEE SCHEDULE

SECTION 8450 TITLE AND PURPOSE. The provisions of Section 8450 through Section 8499 inclusive shall be known as the Fee Schedule. The purpose of these provisions is to identify the procedures for which a fee is required and to establish conditions relative to the establishment of fees.

SECTION 8451 ESTABLISHMENT OF FEES. Fees for the consideration of material submitted pursuant to the requirements of the Zoning Ordinances shall be recommended by the Director of the Department of Environmental Affairs and approved by the City Council.

SECTION 8452 WAIVER OF FEES. Fees shall be waived as specified below:

- (a) Public Agency: No fee shall be charged for an application filed by any city, county, district, state, federal, foreign, or international government, or agency thereof.
- (b) Renewals. No fee shall be charged for an application to extend a termination date or a stage development schedule prescribed as a condition of an approval which has been granted and which has not expired, provided that no substantial change in plans or other conditions of approval is proposed.
- (c) Administrative Appeal. No fee shall be charged for an administrative appeal.

SECTION 8453 REFUND OF FEE. The Director of the Department of Environmental Affairs may refund an application fee in whole upon a determination that the application

was erroneously required or filed. He may refund a fee prorata, based on the cost of processing the application, if the application is withdrawn prior to a decision thereon. The Director's determination shall be subject to appeal pursuant to the Administrative Appeal Procedure.

## **ENFORCEMENT REGULATION**

SECTION 8500 TITLE AND PURPOSE. The provisions of Section 8500 through Section 8549 inclusive shall be known as the Enforcement Regulations. The purpose of these regulations is to ensure compliance with the Zoning Regulations. These provisions shall apply to the enforcement of the Zoning Regulations, but shall not be deemed exclusive.

SECTION 8501 OFFICIAL ACTION. All officials, departments, and employees of the City of Simi Valley vested with the authority to issue permits, certificates, or licenses shall adhere to, and require conformance with, the Zoning Regulations.

SECTION 8502 INSPECTION AND RIGHT OF ENTRY. Whenever they shall have cause to suspect a violation of any provision of the Zoning Regulations, or whenever necessary to investigation of an application for or revocation of any zoning approval under any of the procedures prescribed in the Zoning Regulations, the officials responsible for enforcement or administration of the Zoning Regulations or their duly authorized representatives, may enter on any site or into any structure for the purpose of investigation, provided they shall do so in a reasonable manner. No secured building shall be entered without the consent of the owner or occupant. No owner or occupant or agent thereof shall, after reasonable notice and opportunity to comply, refuse to permit such entry.



SECTION 8503 ABATEMENT. Any use which is established, operated, erected, moved, altered, enlarged, painted, or maintained contrary to the Zoning Regulations shall be and is hereby declared to be unlawful and a public nuisance, and may be abated as such.

SECTION 8504 PENALTIES. Any person who violates or causes or permits another person to violate any provision of the Zoning Regulations is guilty of a misdemeanor, and upon conviction shall be punishable by a fine of not more than Five Hundred Dollars or by imprisonment for not more than six months, or by such fine and imprisonment. A violator may be deemed guilty of a separate offense for each day during any portion of which a violation of the Zoning Regulations is committed, continued, or permitted.

## INDEX

### Activity

- Accessory 2211
- Classifications 2210
- Combination of principal activities 2213
- Defined 2201(d)
- Non Conforming. See Non-conforming Use Regulations
- Types 2250-2463
- Unlisted Activities 2230

### Administrative Appeal Procedure 8100-8149

### Agricultural and Extractive Activities

- General Description 2450-2463
- Off-Street Loading 7674
- Off-Street Parking 7665.
- See Off-Street Parking and Loading Regulations.

### Agricultural Zone Regulations 6100-6149

### Animals

- General Regulations 7025
- Location of Structures for keeping in S-1 Zone 6127
- Noise from 7425(e)

### Appeals

- Administrative Appeal Procedure 8100-8149
- See Individual Zone Regulations

### Area

- Lot and Area Regulations 7075-7099
- See Individual Zone Regulations

### Automotive Servicing Regulations 7700-7724

### Bonding

- Planned Unit Development 7562
- Residential Density Increase Provisions 3063(d)1
- Sign Removal 7042(f)3 7042(h)2

### Boundaries 7007, 7015

### Civic Activities

- General Description 2300-2322
- Off-Street Loading 7671
- Off-Street Parking 7662
- See Off-Street Parking and Loading Regulations.

### Civic Center Zone Regulations 6150-6199

### Commercial Activities

- General Description 2350-2390
- Off-Street Loading 7672
- Off-Street Parking 7663.
- See Off-Street Parking and Loading Regulations.

### Commercial Zones 4000-4999

- Convenience Commercial Zone Regulations 4100-4149
- District Commercial Zone Regulations 4400-4449
- Freeway Commercial Zone Regulations 4300-4349
- Office Commercial Zone Regulations 4200-4249
- Regional Commercial Zone Regulations 4500-4549
- Service Commercial Zone Regulations 4600-4649

### Conditionally Permitted Uses

- Generally 7008
- Permit Procedure 8150-8199

See Individual Zone Regulations

Definitions

Alley 2111  
Alteration 2111  
Animals and Fowl 7205(b)1  
Berth 2111  
Commercial Zone 2111  
Corner Lot 2111  
Building 2112  
City 2101  
Collective Household 2112  
Conditionally Permitted 2101  
Court 2113  
Days 2101  
Decibel 2113  
Development Control Map 2113  
Dwelling Unit 2113  
Director 2114  
Earthen Berm 2114  
Facility 2114  
Facility Type 2115  
Family 2115  
Fifty Percent See-Through  
    Fence 7302(b)  
Finished Grade 2115  
Floor Area 2115  
Frequency 2116  
Frontage 2116  
Front Lot Line 2116  
Front Yard 2116  
Habitable Room 2117  
Height 2117  
Home Occupation 2117  
Hotel 2117  
Industrial Zone 2118  
Interior Lot 2118  
Interior Side Lot Line 2118  
Key Lot 2118  
Kitchen 2119  
Language, General Rules of  
    2101

Living Room 2119  
Living Unit 2119  
Lot 2119  
Lot Area 2120  
Lot Depth 2120  
Lot Line 2120  
Lot Width 2120  
May 2101  
Motel 2121  
Natural Grade 2121  
Noise  
    Ambient 7421(a)  
    Commercial Purposes  
        7421(j)  
    Decibel 7421(b)  
    Emergency Work 7421(c)  
    Frequency 7421(d)  
    Motor Vehicles 7421(g)  
    Noncommercial Purpose  
        7421(k)  
    Sound Amplifying Equip-  
        ment 7421(h)  
    Sound Level 7421(e)  
    Sound Level Meter 7421(f)  
    Sound Truck 7421(i)  
    Supplementary Definitions  
        of Technical Terms  
        7421(l)  
Nonconforming Activity 2121  
Nonconforming Facility 2121  
Nonconforming Use 2121  
Path 2122  
Performance Standards 2122  
Permitted 2101  
Planned Unit Development 2122  
Principal Activity  
Principal Facility 2123  
Rear Lot Line 2123  
Rear Yard 2123  
Residential Zone 2124  
Reversed Corner Lot 2124  
Ringlemann Number 2124

Rooming Unit 2125	Street 2126
Shall 2101	Street Line 2127
Side Lot Line 2125	Street Side (of Corner Lot) 2127
Side Yard 2125	Substitution (of Activities) 2127
Sign 2125	Townhouses 2128
Announcement 7027	Traffic Safety Sight Area 7302(a)
Banner 7027	Trees
Billboard Advertising 7027	Heritage 7441(a)
Building Frontage 7027	Significant 7441(b)
Bus Bench 7028	Street 7441(c)
Contractors 7028	Usable Open Space 7351
Directional 7028	Use 2128
Flags and Pennants 7028	Yard 2128
Flashing 7029	Density Increase
Free-Standing 7029	See Residential Density Increase Provisions 3050-3074
Height of 7029	Design Review
Illuminated 7029	Board 8206
Institutional 7030	Procedures 8200-8249
Moving or Rotating 7030	Regulations 7450-7499
Off-Premises 7030	
On-Premises 7030	Enforcement Regulations 8500-8549
On-Site Public Right-of-Way 7031	Environmental Impact Report
Permanent Identification 7031	General Plan Amendment Procedure 8352
Placed or Displayed 7031	Planned Unit Development 8273
Political 7031	Environmental Protection Regulations 7400-7449
Product Advertising 7032	Hillside Regulations 7405-7414
Product Identification 7032	Noise Regulations 7420-7429
Promotional 7032	Performance Standards 7430-7439
Sign Area 7033	Seismic Fault and Fracture Area 7415-7419
Sign Program 7033	Tree Preservation Revisions 7440-7444
Sign Structure 7033	
Shopping Center 7033	
Street Frontage 7034	
Temporary 7034	
Under-Canopy 7034	
Window 7034	
Single Dwelling Unit 7016	
Special Zone 2126	
Story 2126	



## Facility

- Accessory 2221
- Classifications 2220
- Combinations of principal facilities 2223
- Defined 2201(b)
- Nonconforming. See Nonconforming Use Regulations.
- Types 2550-2612
- Unlisted Facilities 2230

Fee Schedule 8450-8499

## Fences and Dense Plantings

- Maximum Height in Front Yard 7302
- Measurement of Prescribed Height 7301(d)

Freeway Land Use Combining Zone Regulations 6350-6399

## Frontage

- Exceptions to 7076
- See Individual Zone Regulations

General Plan Amendment Procedure 8350-8399

Grading and Excavation Limitations 7210

## Hazards

- Application of S-5 Zone 6306(a)(b)
- See Environmental Protection Regulations 7400-7449

Height Regulations 7100-7149

See Individual Zone Regulations

Hillside Regulations 7405-7414

Home Occupation Regulations 7500-7549

## Horsekeeping

- Combining Zone Regulations 6250-6299

Generally 7205(c)

Standards 6228

Housing Mix and Occupancy Characteristics

Quality Rating for 3060

Industrial Zones 5000-5999

Industrial Park Zone Regulations 5200-5249

Special Industrial Zone Regulations 5100-5149

## Landscaping

Automotive Servicing Special Requirements 7708

Mobile Home Parks 3818(f)

Quality Rating for 3062

Zone Boundaries 7007(b)3

Zone Regulations

Commercial 7310

Industrial 7310

Residential 7305

See Landscaping, Buffering, and Screening Regulations 7300-7349

## Lights

Commercial and Industrial Zones 7310(c)

Parking and Loading Areas 7691

Lot and Area Regulations 7075-7076

See Individual Zone Regulations

Manufacturing Activity Types

General Description 2400-2415

See Industrial Zone Regulations

Model Home Regulations 7222

Natural Resource Areas, Quality  
Rating for Dedication 3064  
Noise Regulations 7420-7430  
    See Freeway Land Use Com-  
    bining Zone 6350-6399  
Nonresidential Facility Types 2600-  
2612  
Nonconforming Signs 7045  
Nonconforming Use Regulations  
7600-7649

Open Space and Recreational Fa-  
cilities  
    Quality Rating for 3063  
    See Usable Open Space Reg-  
    ulation

Parking and Loading, Off-Street Re-  
quirements 7650-7699  
    Accessory 7009  
    Screening 7305, 7690

Performance Bonds  
    See Bonding

Performance Standards 7430-7439

Permit  
    Administration:  
        Issuance 7005, 7602  
        Prior, Effect of 7005  
        Revocation 7006  
    Required for:  
        Amplified Sound 7428  
        Automotive Servicing Com-  
        mercial Activity 7711  
        Conditional Use 8150-8199  
        Home Occupation 7515  
        Horsekeeping 6268  
        Nonconforming Use 7602  
        Planned Unit Development  
        8285  
        Sign 7026  
        Tree Alteration 7441

Permitted Uses 7008  
    Expansion into Adjacent Zones  
    7010  
    See Individual Zone Regula-  
    tions

Planned Unit Development  
    Combining Zone Regulations  
    6300-6359  
    General Regulations 7560-  
    7569  
    Procedure 8250-8299  
    Required in Certain Cases.  
    See Individual Zone Reg-  
    ulations

Planning Code General Provisions  
Part 1

Public Use of Open Space and Rec-  
reational Facilities  
    Quality Rating for , 3063

Public Use Zone Regulations 6200-  
6249

Quality Rating  
    See Residential Density In-  
    crease Provisions 3050-  
    3074

Recreational Facilities  
    Quality Rating for , 3061  
    See Usable Open Space Reg-  
    ulations

Recreational Vehicles  
    Parking Facility Required  
    7151(a)2  
    Sideyard Required 7151(a)

Residential  
    Activity Types 2250-2261  
    Density Increase Provisions  
    3050-3074  
    Facility Types 2550-2567  
    Hillside Standards 7406

- Off-Street Loading 7670
- Off-Street Parking 7661
- See Off-Street Parking and Loading Regulations and Individual Zone Regulations
- Residential Zones 3000-3999
  - High Density Residential Zone Regulations 3600-3699
  - Intermediate Density Residential Zone Regulations 3500-3549
  - Low Density Residential Zone Regulations 3300-3399
  - Medium Density Residential Zone Regulation 3400-3499
  - Mobile Home Park Residential Zone Regulations 3800-3899
  - Rural Residential Zone Regulations 3100-3199
  - Very High Density Residential Zone Regulations 3700-3799
- Rezoning and Law Change Procedure 8300-8349
- Screening
  - Parking and Loading 7690
  - See Landscaping, Buffering, and Screening Regulations 7300-7349
- Seismic Fault and Fracture Area Regulations 7415-7419
- Setback
  - Stepped 3728(b)
  - Uniform Plane 3728(a)
  - See Individual Zone Regulations and Yard Regulations
- Signs
  - Prior Permits 7005
  - Regulations 7025-7074
  - Review Criteria 7454
- Special Features
  - Quality Rating for, 3065

- Standards and Criteria
  - Animals 7205
  - Conditional Use 8157
  - Commercial Activity in S-2 Zone 6165
  - Design Review 7453
  - Home Occupation 7505
  - Horsekeeping 6268
  - Mobile Home Park 3818
  - Noise 7420
  - Parking and Loading 7680-7699
  - Planned Unit Development 7563
  - Signs 7025
  - Sign Review 7454
  - Usable Open Space Group 7355
  - Private 7356
- Storage Areas
  - Screening 7305
- Trees
  - Automotive Servicing, Special Requirements 7708
  - Preservation Regulation 7440-7444
  - Required 7315(b)(c)(d)
- Usable Open Space Regulations 7350-7399
  - Requirements. See Individual Zone Regulations
- Utilities 7221
- Variance Procedure 8400-8449
- Yard Regulations 7150-7199
- Zone
  - Boundaries 7007, 7015
  - Change Procedure 8300-8349

for Planned Unit Developments

8281(b)10

Zoning Regulations

Purpose 2002

Applicability 2003





# **SIMI VALLEY SUBDIVISION REGULATIONS**



## **CITY OF SIMI VALLEY SUBDIVISION ORDINANCE: CONTENTS**

- 1. ADVISORY AGENCY
  - 1.1 Purposes
  - 1.2 Advisory Agency
- 2. SUBDIVISION COMMITTEE
  - 2.1 Subdivision Committee
- 3. REQUIREMENTS BY TYPE OF SUBDIVISION
  - 3.1 Industrial Subdivision
  - 3.2 Commercial Subdivisions
  - 3.3 Residential Subdivisions
  - 3.4 General Design and Improvement Standards
  - 3.5 Specific Street Design and Improvements
  - 3.6 Improvements
- 4. EXCEPTIONS FROM REQUIREMENTS
- 5. SUBDIVISION FILING PROCEDURE
  - 5.1 Generalized Development Plan and Preliminary Map Procedure
- 6. STANDARD SUBDIVISION PROCEDURE
  - 6.1 Tentative Map Required Data and Design
  - 6.2 Soils Report
  - 6.3 Statements and Reports
  - 6.4 Covenants
  - 6.5 Tentative Map
  - 6.6 Tentative Map: Subdivision Committee Approval
  - 6.7 Tentative Map: Action by the Planning Commission
  - 6.8 Tentative Maps: Appeal
  - 6.9 Improvement Plans
- 7. REVERSION TO ACREAGE
- 8. FINAL MAP
  - 8.1 Time Limit
  - 8.2 Final Map Form
  - 8.3 Final Map: Data Required
  - 8.4 Additional Material
  - 8.5 Certificates
  - 8.6 Final Map Submission Procedure
  - 8.7 Tax and Assessment Liens
  - 8.8 Approval by City Council



- 9. MINOR SUBDIVISION
  - 9.1 Filing
  - 9.2 Filing Application
  - 9.3 Map Form
  - 9.4 Information Required
  - 9.5 Reports by Subdivision Committee Members
  - 9.6 Action by Subdivision Committee
  - 9.7 Appeal
- 10. ENFORCEMENT
- 11. PENALTY
- 12. NAME
- 13. SEVERABILITY

## Section 1                    ADVISORY AGENCY

Section 1.1            Purposes. This Ordinance is enacted to regulate the design, and improvements of subdivisions, and land divisions and to provide for the procedures thereof. The procedure to be followed in securing official approval shall be governed by the Subdivision Map Act of the State of California, as well as the provisions of this Subdivision Ordinance. This Ordinance is also enacted to secure compliance with the Simi Valley General Plan and Zoning Regulations. This Ordinance shall attempt to encourage new concepts and innovations in the internal arrangement of building sites within subdivisions to preserve natural resources and provide sound living conditions.

Section 1.2            Advisory Agency. The Planning Commission of Simi Valley is hereby designated as the Advisory Agency with respect to subdivisions as provided in the Subdivision Map Act of the State of California. The Planning Commission shall have all the powers and duties with respect to tentative and final maps, and the procedure relating thereto, which are specified by law and by this Ordinance.

## Section 2                    SUBDIVISION COMMITTEE

Section 2.1            Subdivision Committee. There is hereby created a Subdivision Committee, to consist of the Chairman of the Planning Commission, the Director of the Department of Environmental Affairs, and the Director of the Department of Public Services or their designated representatives. The Committee shall have the powers and

duties specified by this Ordinance. The Director of the Department of Environmental Affairs shall be the secretary of the Committee.

### Section 3                      REQUIREMENTS BY TYPE OF SUBDIVISION

#### Section 3.1                      Industrial Subdivisions.

a. Minimum lot area and width for industrial subdivisions shall be 10,000 square feet in area and 100 feet in average lot width, unless a greater lot area or width is required by the Zoning Regulations or unless the lot area and width is reduced through the use of Section 3.7 herein.

b. Street Design: Street design shall be as set out in Section 3.4 through 3.7 for industrial areas.

c. Improvements: All improvements shall be as set out in Section 3 herein, and in the Standards.

d. Other regulations: All other regulations set out in this Ordinance shall be complied with in the development of Industrial Subdivisions.

#### Section 3.2                      Commercial Subdivisions.

a. Minimum lot area and width for commercial subdivisions, unless other lot size or width is stipulated in the Zoning Regulations or unless the lot size is reduced through the use of Section 3.7 herein, shall be 10,000 square feet and 100 foot average lot width, provided that the Planning Commission may reduce the lot area sizes not more than 50%, when the total lot size combined with land used for parking and landscaping in undivided common interest equals the required 10,000 square feet lot size.

b. **Street Design:** Street design shall be as set out in the Standards.

c. **Improvements:** Improvements shall be installed as set out in Section 3.4 and in the Standards.

### Section 3.3      Residential Subdivisions

a. **Minimum lot area and width** shall be as prescribed in the Zoning Regulations.

### Section 3.4      General Design and Improvement Standards.

Section 3.41      **Blocks and Frontage.** Improvements hereinafter mentioned shall conform to requirements of the Standards. Blocks shall not be longer than 800 feet between intersecting street lines; except on expressways and major streets where longer blocks may be required by the Planning Commission. With the exception of corner lots, lots shall not have frontage on more than one street; however such frontage may be permitted if access rights on all but one street are granted to the City of Simi Valley.

Section 3.42      **Pedestrian Walkways.** Pedestrian walkways shall be provided through the middle of blocks over 600 feet in length; and may be required by the Planning Commission to serve the following purposes: To connect streets, or to provide access to parks, playgrounds and similar public areas. The widths of the walkways, and the construction improvements to be made shall be as prescribed by the Planning Commission. Easements not less than five feet wide shall be required on the sides and rear of all lots where necessary for poles, underground utilities, cables, wires, drainage, conduit and water mains or other utilities.

Section 3.43      **Water Courses.** The Planning Commission may require water courses to be placed in underground conduits or fenced, or otherwise improved in



accordance with the Standards.

Section 3.44           Frontage. Each lot shall have a minimum of 40 foot frontage on a public road, and said required frontage shall provide useable and practical access to the building site, and the driveway providing access shall not exceed 20% grade outside the public road right-of-way, and the geometry of the driveway within the public road right-of-way shall conform to the Standards.

Section 3.45           Roads and Streets.

a. Reserve strips, where required to control access over certain lot lines or over the ends of street stubs, shall be dedicated.

b. Alleys, access roads and acceleration lanes may be required in industrial, commercial and in multiple family residential areas where necessary to control access to expressways and major streets. Where alleys intersect, widths in excess of that in the Standards may be required.

c. Cul-de-sac streets shall have the following limiting dimensions:

50 foot minimum radius to property line where the cul-de-sac is longer than 400 feet.

40 foot minimum radius to property line where cul-de-sac is less than 400 feet.

40 foot minimum radius to curb line where cul-de-sac is longer than 400 feet. 30 foot minimum radius to curb line where cul-de-sac is less than 400 feet. 400 foot maximum length of a cul-de-sac to center of turn-around, except where such cul-de-sac serves less than 16 lots.

Section 3.46           Streets and Highways.

a. Street design shall conform both in width and alignment to the General Plan and the right-of-way for any street or highway indicated on such Plan shall be offered for dedication.

b. Street design shall conform to any proceedings affecting the subdivision, which may have been initiated by the Council or approved by the Council upon initiation by other legally constituted bodies of the City, County, or State. If a parcel of land to be subdivided includes a portion of the right-of-way to be acquired for a public street, and the City Council shall determine the boundaries of the right-of-way to be acquired, the subdivider shall either dedicate or withhold from subdivision all the area included in said right-of-way.

### Section 3.5 Specific Street Design and Improvements.

a. Street design and improvement shall conform to the Standards and to the requirements set forth herein.

b. Private roads may be permitted where the following conditions prevail:

1. Maximum number of dwelling units to be served is 4.
2. Adequate parking is provided on the private road or on the building site.
3. Provisions are made for adequate turning operations.
4. Minimum widths and standards are determined at the time of application.

c. Private roads may be permitted in condominiums or similar developments where maintenance is provided for by proper legal safeguards.

d. Private roads may be permitted by the Planning Commission when constructed according to Standards.

### Section 3.6 Improvements.

Section 3.61 Specific Improvements. All improvements installed and constructed in subdivisions shall conform to the requirements set out in the Standards and to all

conditions imposed upon the approval of the tentative map.

a. The following improvements shall be constructed, and where described in the Standards as specified therein.

1. Curb, gutter, sidewalk and walkways.
2. Fire hydrants.
3. Water lines and other utility services to serve each lot and stubbed to property line prior to construction of street and pavement connected to existing city, public utility, or other approved system when such system is or can be made available.
4. Sanitary sewers and laterals to serve each lot and stubbed to property line prior to construction of street base and pavement connected to the existing city system, where such system is or can be made available. In such case the subdivider shall present evidence indicating the ability of the system to handle sewage from the subdivision and evidence that a satisfactory agreement has been entered into to provide the service.

The requirements for sanitary sewers specified herein shall be considered minimum requirements. Where other agencies have jurisdiction over the construction, maintenance and operation of sanitary sewers and have equal or higher standards of regulation, the regulation of that agency shall apply.

6. Silt basins, structures, planting or other forms of erosion control when necessary in the opinion of the Planning Commission.

7. Improved streets.
8. Improvement and widening of major and secondary streets when within a subdivision or when bordering a subdivision on one side only.
9. Street lights as specified by the Planning Commission.
10. Street trees as specified by the Planning Commission.
11. Street name signs and regulatory signs as specified by the Director of the Department of Public Service.
12. Street end barricades, walls or fences.
13. All utility distribution facilities (including but not limited to electric, communication and cable television lines) installed in and for the purpose of supplying service to any subdivision shall be placed underground, except as follows:
  - (a) Equipment appurtenant to underground facilities, such as surface mounted transformers, pedestal mounted terminal boxes and meter cabinets, and concealed ducts, or such equipment when concealed by shrubbery, landscaping or other screening and approved by the Director of Environmental Affairs.

The Planning Commission may waive the requirements of this section if topographical, soil or other physical conditions make underground installation of said facilities unreasonable or impractical.



#### 14. Recreation Requirements.

(a) Purpose. Pursuant to the authority granted by the Subdivision Map Act, Sections 11500 et. seq. of the Business and Professions Code of the State of California and specifically Section 11546 of said Code, as a condition of approval of a final subdivision or parcel map, every subdivider who subdivides land shall dedicate land, pay a fee in lieu thereof, or do both, to the Simi Valley Recreation and Park District, hereinafter referred to as "District," for the establishment and/or development within the City of park and recreational facilities to serve future residents of each subdivision in accordance with the Recreational Element of the General Plan of the City adopted by the City Council on September 27, 1971, or any amended portion or part thereof, subject to and limited by the following sections:

(b) **Application.** The provisions of this Section shall apply to all subdivisions, as that phrase is defined by Section 11500 et. seq. of the Business and Professions Code of the State of California, as defined in this Chapter, except any such subdivision or division for which a tentative map has been filed within 30 days after the effective date of the Ordinance adopting this Section and also excepting industrial subdivisions. Only the payment of fees may be required in subdivisions containing 50 parcels or less.

(c) **Relation of Land Required to Population Density.** Based upon the standards of the Recreation Element of the General Plan, it is hereby found and determined that the public interest, convenience, health, welfare and safety require that three and one-half acres of property for each one thousand persons residing within the City be devoted to local park and recreational purposes, exclusive of and in addition to those school lands used cooperatively for recreational purposes.

(d) **Population Density.** Population density for the purposes of this Ordinance shall be determined as follows, based on the most recent data available in the form of the Federal and State census and studies of population density in Ventura County and Simi Valley.

1. Single family dwelling unit = 4.16 persons per dwelling unit.
2. Multiple family dwelling units =
  - 1.35 persons per single/bachelor dwelling unit.
  - 2.6 persons per one bedroom dwelling unit.
  - 2.75 persons per two bedroom dwelling unit.
  - 3.5 persons per three bedroom dwelling unit.

3.7 persons per three bedroom and family room dwelling unit.

4.04 persons per four bedroom dwelling unit.

3. Mobile home dwelling unit = 2.5 persons per dwelling unit.

(e) Determination of the Number of Dwelling Units and Bedrooms.

The basis for determining the total number of dwelling units shall be the number of such units permitted by the City on the property included in the subdivision at the same time the final subdivision tract map or parcel map is filed for approval.

Where no such application accompanies a subdivision tentative tract map or parcel map, the dwelling units shall be treated for the purpose of determining density as single-family dwelling units.

For the purpose of this Section, when a room, such as a den, study or sewing room, is provided in conjunction with a single bachelor or one-bedroom unit and said additional room meets the Uniform Building Code definition of a habitable room, such room shall be considered a bedroom.

When a room, such as a den, study or sewing room, is provided in conjunction with a two-bedroom unit and said room meets the Uniform Building Code definition of a habitable room, such additional room shall not be considered as a den, study or sewing room, but as a bedroom if a wardrobe, closet or similar facility normally found in a bedroom is proposed and if such room is constructed in such manner that 50 percent or less of one wall is open to an adjacent room or hallway.

If the Planning Commission determines that an additional room can be converted to a bedroom, such room shall be considered a bedroom.

(f) Land Dedication Formula. The amount of land required to be dedicated by a subdivider pursuant to this Ordinance shall be based upon the population

generated by the subdivision, and shall be computed on the basis of 3.5 acres per 1,000 persons. The number of persons anticipated shall be determined by a computation in accordance with the following formula: number of dwelling units in gross area within the subdivision multiplied by the population density (number of persons anticipated to reside within each dwelling unit), as specified in Section 3.61(a)14(e). The number of persons anticipated to reside within the subdivision according to the above computation shall be divided by 1,000 and the result shall be multiplied by 3.5 to determine the amount of acreage to be dedicated.

In the event said area so dedicated is bounded by, or abutted by, street frontage, the subdivider shall at the time of approval of the final map, obligate himself by condition to said map to improve said area with curb, gutters, drainage facilities, lights, sidewalk, matching pavement and street trees to full City standards and shall stub-in requested utility line services to the parkway. Provided, however, at the discretion and concurrence of the City and District, in lieu of said improvements the subdivider shall pay a sum equal to 15 percent of the fair market value of the dedicated land, to pay the cost of said improvements.

(g) Amount of Fee in Lieu of Land Dedication. When a fee is to be paid in lieu of land dedication, the amount of such fee shall be based upon the fair market value of the amount of land which would otherwise be required to be dedicated pursuant to Section 3.61(a) 14(c) hereof and shall be determined in accordance with the following formula: Number of acres of land that would otherwise be required to be dedicated multiplied by the average fair market value of an acre of land within the subdivision which shall be determined as of the time of filing the final map, and which shall be consistent with zoning applicable to the land at that time, in accordance with



the following:

1. The fair market value as determined by the City and District; or
2. If the subdivider objects to such evaluation he may, at his expense, obtain an appraisal of the property by a qualified real estate appraiser, which appraisal must be accepted by the City and District if found reasonable; or
3. The City, District, and the subdivider may negotiate and thereafter agree as to the fair market value.

In addition to the fee to be paid in lieu of land dedication, the subdivider shall also pay an amount sufficient to provide curbs, gutters, drainage facilities, lights, sidewalks, matching pavement and street trees to full City standards and the stubbing-in of utility services to the park property. If plans have been established for a park site to be purchased totally or in part with said funds, this additional contribution may, at the discretion of the City and District, consist of development at the planned site on a prorated basis in the same ratio that cash paid in lieu of dedication bears to the total cost of the planned park. However, in lieu of constructing said improvements, the subdivider may pay a sum equal to 15 percent of the cash payment in lieu of dedication, to pay the cost of said improvement. In the event the plans have not been established for such a park site, the subdivider shall pay an amount equal to 15 percent of the cash payment in lieu of dedication, to pay the cost of said improvement. In the event the plans have not been established for such a park site, the subdivider shall pay an amount equal to 15 percent of the cash payment in lieu of dedication to cover such expenses.

(h) Choice of Land or Fee. The procedure for determining whether the subdivider is to dedicate land, pay a fee, or both, shall be as follows:

At the time of filing a tentative tract map for approval, the owner of the property shall, as a part of such filing, indicate whether he desires to dedicate property for park and recreational purposes, or whether he desires to pay a fee in lieu thereof. If he desires to dedicate land for this purpose, he shall designate the area thereof on the tentative tract map as submitted following consultation with the City and District as to the appropriate location and size of the area proposed to be dedicated.

At the time of the tentative tract map approval, the City and District shall determine and stipulate as a part of such approval, whether to require a dedication of land, payment of a fee in lieu thereof, or a combination of both.

Nothing in this Section shall be interpreted to prohibit the City and District from determining the location and configuration of land to be dedicated.

Whether the City and District elect land dedication or elect to require payment of a fee thereof, or a combination of both, it shall be determined by consideration of the following:

1. Adherence to the Recreational Element of the City's General Plan;
2. Topography, geology, access and location of land in the subdivision available for dedication; and
3. Size and shape of the subdivision and land available for dedication.

(i) **Conveyance to the District of Real Property.** Real property dedicated under the provisions of this Ordinance shall be conveyed in fee simple to the District by the subdivider by deed free and clear of all encumbrances except those which will not interfere with use of the property for park purposes and which the District agrees to accept. Deeds required to be given shall be deposited with the City at the time

the final subdivision tract map for which the deeds are given is filed for approval. The deeds shall be held in trust until such time as the Final Subdivision Tract Map is approved, rejected, or withdrawn by the subdivider. If the map is rejected or withdrawn, the deeds shall be returned to the subdivider. If the map is approved, the deeds received shall be delivered to the District within 30 days following the date of approval. The subdivider shall secure for the District title insurance in amounts equal to the value of the property deeded.

(j) **Conveyance of Cash-In-Lieu to the District.** Cash paid in-lieu of the dedication of real property shall be deposited with the City at the time the final subdivision tract map for which said cash is given is filed for approval. Said funds shall be held in trust until such time as the final subdivision tract map is approved, rejected, or withdrawn by the subdivider. If the map is rejected or withdrawn, the funds shall be returned to the subdivider. If the map is approved, the cash received under this Ordinance shall be delivered to the District within 30 days following the date of approval. The District shall thereafter within a reasonable time use such funds only to provide park or recreational facilities to serve the subdivision. Funds conveyed to the District shall be expended only within the City limits unless the City approves expenditure of such funds outside the City limits, and the District shall maintain appropriate records to so indicate.

(k) **Time of Commencement of Development.** At the time the final tract map is approved the City shall with the concurrence of the District, designate the time when development of the park or recreational facilities shall be commenced. Development of park or recreational facilities shall commence not later than seven years from the date of issuance of the first building permit for the sub-

division for which land or fees were required.

(l) **Limitation on Use of Land and Fees.** The land and fees received under this Ordinance shall be used only for the purpose of providing park and recreational facilities and the amount and location of land to be dedicated, the fees to be paid in lieu thereof, or a combination of both, shall bear a reasonable relationship to the use of the park and recreation facilities by the future inhabitants of the subdivision.

15. **Landscaping.** Installation and maintenance of landscaping and/or screen planting shall be as specified by the Planning Commission.

16. **School Sites.** Any subdivider proposing a development of more than 400 dwelling units within any three year period on any parcel or contiguous parcels shall dedicate such land as deemed necessary for the purpose of constructing thereon schools necessary to assure the residents of the subdivision adequate elementary school facilities. The requirements of dedication shall automatically terminate unless the school district shall enter into a binding commitment with the subdivider to accept the dedication within 30 days after the requirement is imposed by the City. The required dedication may be made at any time prior to the construction of the 401st dwelling unit. The school district shall, in the event that it accepts the dedication, repay to the subdivider or his successors, the original cost to the subdivider of the dedicated land, plus a sum equal to total of following amounts:

- (a) The cost of any improvements to dedicated land since acquisition by the subdivider.
- (b) The taxes assessed against the dedicated land from the date demand for dedication is made.



- (c) Any other costs incurred by the subdivider in maintenance of such dedicated land, including costs incurred on any loan covering such land.

17. The following off-site improvements may be required:

- (a) Water supply and transmission lines.
- (b) Sewage disposal facilities and sewerage systems.
- (c) Properly graded, drained and paved access roads.
- (d) The extension of any other utilities.
- (e) Fees for drainage facilities. As a condition of approval of the final map, the subdivider shall pay fees imposed by ordinance of the City enacted under the authority of Business and Professions Code Sections 11543.5, for the purpose of defraying actual or estimated costs of constructing planned drainage facilities for removal of surface and storm waters from drainage areas.

18. In addition to all other requirements herein:

- (a) Improvement work shall not be commenced until plans for such work have been submitted and approved.
- (b) All improvements shall be constructed under the inspection of, and to the satisfaction of the City.
- (c) Cost of inspection shall be borne by the subdivider.

### Section 3.7 Optional Design and Improvement Standards.

Where a subdivider signifies his intent to enhance the livability, convenience and appearance of his proposed subdivision and the health, safety or general welfare of the users of the subdivision by using new concepts in the arrangement of lots, circulation pattern and by providing permanent open space in the proposed subdivision,

and appropriate means of access to blocks, schools, shopping centers and other uses which do not literally comply with the requirements of the ordinance but which serve and implement the intent of this ordinance, he may be permitted exceptions, provided he complies with the following:

(a) Improved design based on density control and better community environment. The standards set out in Section 3.1 through 3.4 may be varied only when the gross density of an area is not increased and where said design has the approval of the Planning Commission and the City Council, and where each finds that said exceptions will:

1. Produce a more desirable and livable community than would be effected by compliance with the Standards.
2. Create a better community environment through dedication of public areas, or setting out of scenic easements and open spaces; and rearrangement of lot sizes and reforestation of barren areas.

(b) As an incentive to creating better overall communities, the Planning Commission may authorize exceptions in lot size but with no increase in density in the overall development.

(c) Said Planning Commission and City Council may authorize exceptions from other standards of this Ordinance where they find that said exceptions will give effect to the intentions described hereinabove.

(d) Where lot sizes are proposed to be reduced by use of common areas, dedication of open areas, or by agreement to give up development rights as a method of maintaining the density required for an area, the credit for such common areas,

open areas dedicated, or development rights offered, shall be based on the density permitted under the zone in which the offer is made or on the basis of the lot sizes required as set out in Section 3.3 of this Ordinance, whichever is more restrictive.

#### Section 4

#### EXCEPTIONS FROM REQUIREMENTS

Where there are certain parcels of land of such dimensions, or so affected by physical conditions and devoted to such uses that it would be difficult or impractical for the subdivider to conform to the foregoing requirements, the following will apply.

##### Section 4.1

a. The Planning Commission, the Subdivision Committee when considering minor subdivisions, (or on appeal, the City Council) may grant exceptions from the foregoing requirements, when all the following conditions are found to exist:

1. That because of special circumstances applicable to the subdivision, including size, shape, topography, location or surroundings, the literal application of this Ordinance would deprive the subdivision of privileges enjoyed by other properties in the vicinity.
2. That under the circumstances of a particular case granting the exceptions, rather than the sections at issue in this Ordinance, the proposal actually carries out the intent of this Ordinance.

b. Any exception granted shall be subject to such conditions as will assure that the adjustments thereby authorized shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the same vicinity.

c. Adequate guarantees may be required to insure that any conditions imposed as a part of any approved exception shall be carried out as specified.

## Section 5

## SUBDIVISION FILING PROCEDURE

### Section 5.1

### Generalized Development Plan and Preliminary Map Procedure

a. **Timing of Generalized Development Plan and Preliminary Map.** Prior to the submission of a tentative map of a proposed subdivision, 15 copies of a Generalized Development Plan and Preliminary Map shall be prepared by the subdivider and submitted to the Department of Environmental Affairs at least 14 days prior to a meeting of the Subdivision Committee. The Generalized Development Plan shall include proposed building locations and landscaping, when such construction is to be done by the subdivider, as well as a Preliminary Map of the proposed project.

b. **Purposes of Generalized Development Plan and Preliminary Map.** The purpose of the Generalized Development Plan and its associated Preliminary Map is to provide a means for review of the proposed subdivision by the Subdivision Committee with the subdivider. The Generalized Development Plan, when submitted for a planned unit development, shall be submitted under the provisions of the Initial Review Process, pursuant to Section 8260 of the Zoning Regulations, as part of the Planned Unit Development Procedure.

c. **Requirements for Generalized Development Plan and Preliminary Map.** The Generalized Development Plan and its associated Preliminary Map need not be as detailed as the tentative map, but shall be prepared to provide pertinent facts and shall show at least the following:



1. The land area proposed to be subdivided and a statement of the number of acres therein.
2. All existing structures.
3. The placement and location of all existing streets, easements, rights-of-way on the land proposed to be subdivided, and those abutting said land.
4. Sufficient contours to indicate the elevations and the fall of the land adjacent to the surrounding area.
5. Any large land fills or grading proposed.
6. The proposed uses of all portions of the subdivision.
7. The approximate alignment of the proposed streets within the subdivision and their connections with existing streets or methods of terminating proposed streets.
8. The number of acres of open space in the subject subdivision, calculated to the nearest one-half acre.
9. The approximate number, size, and acreage size of lots in the proposed subdivision.
10. The approximate density proposed.
11. Drainage, existing and proposed.
12. Utilities proposed.
13. The north point and date.
14. Names and addresses of subdivider and record owner in the lower right hand corner.
15. Name and address of person who prepared may be in lower

right hand corner.

16. Vicinity map displaying connecting streets and significant features on adjacent properties.

d. This Generalized Development Plan and Preliminary Map shall be accompanied by preliminary reports on reimbursible utility installation costs.

e. Action by Subdivision Committee. The Committee shall consider the map and thereafter make a report to the Planning Commission. The report shall contain recommendations and shall state the extent of compliance with the provisions of this and other applicable ordinances. A copy of the Subdivision Committee report shall be sent to the developer.

## Section 6

## STANDARD SUBDIVISION PROCEDURE

### Section 6.1

Tentative Map Required Data and Design. After submission of a Generalized Development Plan and of a Preliminary Map to the Subdivision Committee and review by said Committee, a reproducible tentative subdivision map or maps shall be required of the subdivider which shall comply with Section 3 as to design, with the Development Plan Review Process at Section 8720 of the Zoning Regulations when the subdivision is a planned unit development, and shall include the following data:

a. A sketch at a minimum scale of 1" = 2000' indicating the location of the proposed subdivision in relation to the surrounding area or region and showing land use in surrounding area, all to be indicated on the tentative map.

b. Name and address of record owner and subdivider

c. Name and address of surveyor or engineer who prepared the tentative map.

d. Date, north point (generally up on the map) and scale, with a minimum scale of 1" = 100', and a minimum map size of 18" x 26".

e. Name of proposed subdivision and of all adjacent subdivisions; locations of, names and widths of streets, highways, alleys and ways, and easements of all kind, together with the type and location of street improvements thereon including fire hydrants and street light locations.

f. The contour of the land at intervals of one foot of elevation up to 5% slopes; two foot intervals up to 10% and five foot intervals over 10%. Contours shall be indicated in contiguous lands for a distance of 300'. Every 5th contour line shall be a heavier weight line.

g. Sufficient data to define the boundaries of the tract, or a legal description of the tract and blue border on reverse side of map to indicate tract boundaries.

h. Width, approximate location and purpose of all existing and proposed easements and easements adjoining such land.

i. The width and approximate grade of all streets, highways, alleys and other rights-of-way whether proposed for dedication or not.

j. The approximate radii of all curves.

k. All lots numbered consecutively throughout each block in the development; the approximate dimensions of all lots; lot areas shall be shown for all lots not rectangular in shape.

l. The approximate location of areas subject to inundation by storm water, and the location, width and direction of flow of all water courses existing and proposed.

m. The location and outline to scale of each existing building or structure within the subdivision and the location and designation of uses of each

structure in contiguous areas within 300 feet of the boundary thereof; noting thereon whether or not such building or structure within the subdivision is to be removed from or remain in the subdivision, and its existing and proposed use.

n. Approximate elevation of street intersections.

o. The location, pipe size and approximate grades of proposed sewers and water lines; and the proposed location of fire hydrants and street lights, electric power, gas lines, T.V. cables and storm drains.

p. The location of all trees over 4" in diameter at base of tree (where stands of trees are located, individual trees need not be shown, but may be shown as a group.)

q. The location of existing fences, ditches, wells, sumps, cess-pools, reservoirs, sewers, culverts, drain pipes, underground structures, utility lines or sand, gravel or other excavation within the subdivision, noting thereon whether they are to be abandoned or used. The location of utility lines and sand, gravel or other excavation within 300 feet of any portion of the subdivision shall be shown.

r. Line of high water when adjacent to any stream or waterway.

s. If a condominium or similar development is proposed, the word 'condominium' or appropriate name shall be indicated on the tentative map.

t. Gross area of subdivision and open space calculated to nearest tenth (0.1) acre.

u. Lot areas, number of lots, minimum lot size, average lot size and density.



## Section 6.2

Soils Report

a. A preliminary soils report shall be required which shall be prepared by a registered civil engineer. Such report shall be based on adequate test borings or excavations and shall recommend corrective action. The preliminary soil report may be waived if the Director of the Department of Public Services shall determine that, due to the knowledge his department has as to the qualities of the soil within the subdivision or lot, no preliminary analysis is necessary.

b. If the preliminary soil report indicates the presence of critically expansive soils or other soil problems which, if not corrected, would lead to structural defects, a soil investigation of each lot so affected in the subdivision shall be made by a registered civil engineer.

## Section 6.3

Statements and Reports. Accompanying the tentative map, or

placed on the map, shall be statements by the subdivider containing the following:

- a. Existing zoning and proposed uses of the land.
- b. Intentions regarding erosion control and improvements to be constructed, as required in Section 3 and by other ordinances of the City.
- c. Building setback lines.
- d. Proposed source of water supply and method of sewage disposal.
- e. Type of proposed tree planting.
- f. Proposed public areas to be dedicated and common area or scenic easements proposed. If common areas and locations are proposed method of maintenance shall be stated.
- g. Form of grading, including contours before and after grading or earth movement.

h. Proposed development of lots, i.e., whether for sale as lots, fully developed house and lot, or for lease and/or for financing purposes.

Section 6.4                    Covenants.    A copy of any existing or proposed condition, restrictions, or covenants regulating or restricting the use of the land within the subdivision shall be attached to the above statement.

Section 6.5                    Tentative Map.

a. A tentative map shall be considered ready for the consideration of the Planning Commission after the submission of the Generalized Development Plan and Preliminary Map to the Subdivision Committee and receipt of a report from said committee that the map complies with this Ordinance, and when maps or sketches, together with all required supplementary data have been submitted to the Department of Environmental Affairs. If the subdivision is a portion of a larger area which may be subdivided later, the tentative map shall indicate the ultimate plan for the whole.

b. Ten copies of the map and one reproducible of the map, shall be presented to the Department of Environmental Affairs at least 30 days prior to the Planning Commission meeting at which the map will be filed, together with a fee for submission.

d. Model. The subdivider may be required to make available to the Director of the Department of Environmental Affairs a model of any subdivision which is proposed on any area having unusual land form characteristics. The model shall be to scale and shall indicate with tape or colored line the proposed cuts, fills, roads, grading, contours and lot layout. When a vertical exaggeration is used in the model it shall be so indicated thereon.

e. **Distribution of Copies.** Upon the submission to the Department of a tentative map and the requisite number of copies thereof, the said department shall retain two copies and shall transmit copies to the following: Recreation and Park District, Department of Public Services, and Design Review Board. If the subdivision is traversed or bounded by a State Highway, the District Engineer of the Division of Highways, Department of Transportation of the State of California shall receive a copy.

f. **Reports.** Within a period of not more than 20 days from the receipt of a copy of a tentative map, each officer or department to which a copy shall have been transmitted shall file with the Department a report showing changes necessary to make the map meet the requirements of the Subdivision Map Act, this Ordinance, and other applicable ordinances and regulations of the City of Simi Valley. If such report is not made before the expiration of the 20 day period, the map shall be deemed to be approved.

Section 6.6                      **Tentative Map: Subdivision Committee Approval.** Prior to the filing of a tentative map with the Planning Commission it shall be reviewed for conformity into this Ordinance and applicable laws by the Subdivision Committee at a meeting. The subdivider shall be notified of the time and place of the meeting.

a. The Subdivision Committee shall consider and determine the following:

1. The completeness and accuracy of the tentative map and accompanying statements and reports and the suitability of the land for subdivision as proposed.
2. The design of the subdivision, and conformity with requirements of this Ordinance and with other ordinances of the City and with applicable state statutes.

3. Provisions for and suitability of proposed street improvements, underground utilities, fire hydrants, lighting, drainage, streets, trees, sidewalks, water supply, sewage disposal and easements for utilities and drainage. Such adequacy must be certified by the subdivider and his engineer or surveyor and the serving utility companies.
  4. Provisions for public areas such as parks and schools and for public utility facilities.
- b. Action by Subdivision Committee
1. If the tentative map does not comply with this Ordinance and applicable laws, then the Subdivision Committee shall give written notice to the subdivider.
  2. The Subdivision Committee may recommend changes in design, additional improvements, easements and dedications. The subdivider shall be informed of the recommendations at the time of the meeting or in writing following the meeting.
  3. If it is found that the tentative map requires a significant amount of correction before deemed acceptable for consideration by the Planning Commission, the Committee may recommend that the subdivider make the changes and reappear before the Committee.
  4. Report. The Subdivision Committee shall submit a report on the proposed subdivision to the Planning Commission on



its conformity to Sections 5 and 6 of this Ordinance.

A copy of the report shall be submitted to the subdivider and the engineer of the project.

Section 6.7                      Tentative Map. Action by the Planning Commission.

a.            The date of the filing of the tentative map shall be the date of the Planning Commission meeting following the presentation of the tentative map or corrected tentative map to the Department. The Planning Commission shall act on any tentative map within 50 days of the date of filing unless this time period is extended by mutual consent of the subdivider and the Planning Commission.

b.            The Planning Commission shall determine whether the tentative map is in conformity with provisions of law and of this Ordinance and upon that basis approve, conditionally approve, disapprove said map, and shall report such action to the subdivider.

c.            The Planning Commission may, in addition to other causes therefore, disapprove a tentative map because of flood, inundation, geologic or slide hazards and may require protective improvements to be constructed, as a condition of approval of the map.

d.            The Planning Commission may, in addition to other causes therefore, disapprove a tentative map if it makes any of the following findings:

That excessive grading will occur which will substantially alter the natural landforms and have adverse impacts, on and off the site.

That the proposed map is not consistent with the Simi Valley General Plan.

That the design or improvement of the proposed subdivision is not consistent with the General Plan.

That the site is not physically suitable for the type of development.

That the site is not physically suitable for the proposed density of development.

That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

That the design of the subdivision or the type of improvements is likely to cause serious public health problems.

That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. In this connection, the Council may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public.

#### Section 6.8 Tentative Maps: Appeal

a. If the subdivider, any public agency or officer, is dissatisfied with any action of the Planning Commission with respect to the tentative map, he may, within 10 days after such action, appeal to the City Council. The appeal shall be in writing, shall be accompanied by seven copies of the tentative map, and shall be filed

with the City Clerk. The Council shall hear the appeal within fifteen days following filing of the appeal, upon notice to the subdivider and the Planning Commission unless the subdivider consents to a continuance. At the hearing, the City Council shall hear such argument and consider such evidence as the subdivider, Planning Commission, or other persons may present.

b. Upon conclusion of the hearing, the Council shall make its findings based upon the evidence produced before it. It may sustain, modify, reject or overrule any recommendations or rulings of the Planning Commission, and may make such findings as are not inconsistent with the provisions of this Ordinance and applicable laws.

Section 6.9                      Improvement Plans. After the approval by the Planning Commission of the tentative map of any subdivision, the subdivider shall furnish the following information:

a. A grading plan consisting of cross sections and finished grades of all lots to be graded as a part of the improvement of the subdivision, and of all roads, streets, and highways in the proposed subdivision.

b. Plan and profile drawings on all streets, including sewer and drainage improvements. Utilities may be shown in plan only. Improvement plan scales shall be 1" = 40' horizontally in plan; 1" = 4' vertical in profile, unless otherwise approved.

c. Estimated costs of improvements to be constructed and estimated cost of conditions of approval of the subdivision.

d. Any other pertinent information required by the conditional approval of the Planning Commission, including a soils report on filled areas or areas

proposed to be filled; and in all street and alley rights-of-way at intervals not exceeding 1000' and/or any change in soil conditions.



Section 7REVERSION TO ACREAGE

For the purpose of reversion of subdivided land to acreage, provided that no lots have been sold, no streets improved and where it is not the intent to re-plot the area, the following procedure shall be followed:

a. Three copies of the record map of area proposed for reversion to acreage shall be filed with the Planning Commission 10 days prior to the meeting of said Planning Commission. Each copy of the map shall be accompanied by evidence of title and non-use or lack of necessity of streets or easement which are to be vacated or abandoned. Any streets or easements to be left in effect after the reversion shall be adequately delineated on the map.

b. Action on Map. The Planning Commission shall determine whether it is in the best interests of the area to approve such action, and within 20 days after filing shall approve or disapprove the action and forward its recommendation to the City Council along with evidence of title and non-use of streets and easements.

c. Action by City Council. At its first regular meeting following receipt of the recommendation of the Planning Commission, the Council shall set a public hearing and give notice as required by law. After said public hearing the Council shall consider such request for reversion of subdivided land to acreage and if said Council deems it to be in the best interest of the area, it may approve such request. The City Clerk shall certify any map approved by the Council by signing the certificate provided for on the map.

d. Any map filed for the purpose of reversion of subdivided land to acreage shall be conspicuously designated with the title "The Purpose of This Map

is a Reversion to Acreage."

e. Within 10 days after approval of the City Council said map shall be recorded in the County Recorder's Office.

## Section 8                      FINAL MAP

### Section 8.1                      Time Limit

a. Within 18 months after approval or conditional approval of the tentative map, the subdivider may cause the final map to be prepared in accordance with the tentative map as approved, or conditionally approved.

b. An extension of not exceeding two additional years may be granted by the Planning Commission upon application of the subdivider.

c. Any failure to record a final map within 18 months from the approval or conditional approval of the tentative map, or within the time extension granted by the Planning Commission, shall terminate all proceedings.

### Section 8.2                      Final Map Form

a. The final map shall be made to a scale large enough to show details clearly, at a minimum scale of 100 feet to the inch or larger.

b. The map and title sheet shall contain a sub-title giving a general description of the property being subdivided by reference to maps which have been previously filed or recorded, or by reference to the plate of any State or U. S. survey. Each reference in such description shall be set out as on the original record thereof as on the original pages of records and worded identically with the original record thereof and references to book and page of record must be complete.

## Section 8.3

Final Map. Data Required

The final map shall show the following:

- a. **Boundaries, streets and easements.** The exterior boundaries of the land in the subdivision; the border lines and center lines of all proposed streets with their widths and names; all easements including those to be dedicated to public use.
- b. **Adjacent Streets.** The lines of all adjoining properties; the lines of adjacent streets and alleys, showing their widths and names.
- c. **Lot Lines and Numbers.** All lot lines, and numbers for all lots. Building lines shall be shown if they differ from zoning requirements. All lots are to be numbered consecutively.
- d. **Dimensions.** All dimensions, both linear and angular, for locating boundaries of subdivisions, lots, street and alley lines, easements and building lines. The linear dimensions shall be expressed in feet and hundredths of a foot.
- e. **Monuments.** All permanent monuments, together with their descriptions showing their location and size, and if any points were reset by ties, that fact shall be stated. Monuments shall be of a type and location as prescribed by the Standards.
- f. **Title and Description.** Title and description of property being subdivided, showing its location and extent, north arrow, scale of plan, and name of subdivider and of engineer or surveyor platting the tract.
- g. **The boundaries of any areas subject to periodic inundation**

by water or to geological hazards.

h. Scenic easements and open spaces if not shown as a lot or parcel shall be described by courses and distances and the basis of bearings shown. When a tentative subdivision map is approved with a prescribed net density and when final subdivision maps are filed in units, sufficient lot size plus open space in each unit to meet the approved net density shall be provided.

i. Boundaries. Any city boundaries which adjoin the subdivision shall be designated and located in relation to adjacent lot or block lines. No lot shall be divided by a City or district boundary line.

j. Places where access rights have been waived or dedicated.

#### Section 8.4

#### Additional Material

The following additional material shall be submitted with the final map:

a. Traverse Sheets. The subdivider shall furnish traverse sheets prepared by a registered engineer or licensed surveyor showing the mathematical closure within one foot to 10,000 feet on the perimeter of the exterior boundary of the tract and of each block within the tract and each irregular lot.

b. Soils Report. The final map shall contain a note referring to the final soils report and recommended corrective action, and shall indicate by symbol on the map those lots needing corrective action.

#### Section 8.5

#### Certificates

The following certificates and acknowledgments shall appear on



the final map, and may be combined where appropriate:

a. A certificate signed and acknowledged, by all parties having any record title interest in the land subdivided, consenting to the preparation and recording of the final map. In the event of dedication there shall be a certificate signed and acknowledged by all parties having a record title interest in land being subdivided offering certain parcels of land for dedication for specified public uses, subject to such restrictions as may be contained in the offer of dedication. An offer of dedication for street or highway purposes may include a waiver of access rights to such street or highway from any property shown on the final map as abutting thereon. Any parcels of land shown on the map and intended for public use shall be offered for dedication for public use except those parcels intended for the exclusive use of lot owners in the subdivision, their licenses, tenants, and employees.

The signatures of parties owning the following types of interests may be omitted if their names and the nature of their interests are set forth on the map:

1. Rights-of-way, easements, or other interest, none of which can ripen into a fee.
2. Rights-of-way, easements, or reversions, which by reason of changed conditions, long disuse, or laches, appear to be no longer of practical use or value and which signatures it is impossible or impractical to obtain. In this case, a reasonable statement of the circumstances preventing the of the signatures shall be set forth on the map.

3. Any subdivision map including land originally patented by the United States or the State of California, under patent reserving interest to either or both of these entities, may be recorded under the provision of this Ordinance without the consent of the United States or the State of California thereto, or to dedication made thereon.
4. Interests in or rights to minerals, including but not limited to oil, gas, or other hydrocarbon substances, if (1) the ownership of such interests or rights does not include a right of entry on the surface of the land, or (2) the use of the land, or the surface thereof, in connection with the ownership of such interests or rights is prohibited by zoning or other governmental regulations of the governing body and the signatures of the owners of such interests or rights are waived by the governing body.

b. A certificate by the engineer or surveyor responsible for the survey and final map. His certificate shall give the date of the survey and state that the survey was made by him or under his direction and that the survey is true and complete as shown. The certificate shall also state that all the monuments are of the character and occupy the positions indicated or that they will be set in such positions and on or before a specified later date. The certificate shall also state that the monuments are or will be sufficient to enable the survey to be retraced. If the certificate states that all the monu-

ments will be set on or before a specified later date the subdivider shall furnish to the City Council bond or cash deposit in an amount equal to the estimated cost of setting such monuments, not already set prior to the recording of the map, guaranteeing payment of the cost thereof.

c. Certificates for execution by the Secretary of the Planning Commission, City Clerk, and the County Recorder.

Section 8.6                      Final Map Submission Procedure. The subdivider shall submit the final map and twelve copies thereof in the form and with the materials prescribed herein. The final map shall be accompanied by the fee, the proposed improvement agreement, accompanying improvement security, a map filing title report and proposed private deed restrictions.

Copies of the final map shall be transmitted to the Planning Commission, the Design Review Board, and the Recreation and Park District.

The map shall be examined and along with accompanying instruments, papers, and materials and if it is found that the map is substantially the same as the tentative map as approved and as modified by any approval alterations, that it complies with requirements of this ordinance and of the Subdivision Map Act applicable at the time of approval of the tentative map, and that it is technically correct, there shall be affixed a certificate of approval to the map stating that it was examined.

The Director of the Department of Environmental Affairs shall then examine the map to

determine if it is in substantial conformity to the tentative map, and any approved alterations thereof; that it complies with this ordinance and the Subdivision Map Act and that it is technically correct. If he finds that the final map meets these requirements he shall affix his certificate or approval to the map.

Section 8.65                      Improvement Agreement. The subdivider shall execute and file with the City Council an agreement between himself and the City of Simi Valley for construction of improvements in the subdivision required by this Ordinance and other applicable laws. Said agreement shall provide for the following, in addition to other requirements which may be imposed.

a. The period within which the subdivider shall complete the improvement work, failing which the City may complete the work and recover the cost thereof from the subdivider and his improvement security.

b. Inspection of all improvement work by the City and provision for payment for the cost thereof.

c. The agreement may also provide for the construction of improvements in units, for extensions of time for performance of the agreement, and for progress payments to the subdivider of his order from cash deposits which the subdivider may have made as improvement security; provided, however, that no such progress payment shall be made for more than 90% of the value of any installment of work and provided. No progress payments from cash deposits shall be made except upon certification that the work covered thereby has been satisfactorily completed, and upon approval and authorization by the City Council.



d. That the subdivider file with the improvement agreement improvement security in the amounts and for the following purposes:

1. An amount determined by the City Council, not less than 50% nor more than 100% of the total estimated cost of the improvement, securing payment to the contractor, his sub-contractors, and to persons renting equipment or furnishing labor or materials to them for the improvement.

"Improvement security" as used in this Section means one or more of the following:

- (a) A cash deposit or deposits made with the City.
- (b) A bond or bonds by one or more duly authorized corporate securities.
- (c) An instrument or instruments of credit from one or more financial institutions subject to regulation by the State or Federal government pledging that the funds necessary to meet the performance are on deposit and the guarantee for payment and agreeing that the funds designated by the instrument shall become trust funds for the purposes set forth in the instrument.

Improvement security may be released or reduced in the following manner:

- (a) Improvement security given for faithful performance of the agreement may be released upon final completion

and acceptance of the work; partial release of cash deposit improvement security as the work progresses shall be as established hereinabove.

- (b) Improvement security securing the payment to the contractor, his subcontractors, and to persons renting equipment or furnishing labor or materials may, six months after the completion and acceptance of the work, be reduced to an amount not less than the total of all claims on which an action has been filed and notice thereof given in writing to the City Council, and if there are no actions filed, the improvement security may be released in full.

Section 8.7                      Tax and Assessment Liens    Prior to the filing of the final map with the City Clerk, the subdivider shall file with the Clerk a certificate showing that, according to City records, there are no liens against the subdivision or any part thereof for unpaid State, County, Municipal, or local taxes or special assessments not yet payable.

As to taxes or special assessments collected as taxes not yet payable, the subdivider shall file with the City Clerk a certificate by the Ventura County Assessor giving his estimate of the amount of taxes and assessments which are a lien but which are not yet payable.

Whenever any part of the subdivision is subject to a lien for taxes or special assessments collected as taxes which are not yet payable, the final map shall not be recorded until the subdivider executes, and files with the City Council a bond to be approved by the

Council and by its terms made to inure to the benefit of the City and conditioned upon the payment of all State, County, Municipal, and local taxes and all special assessments collected as taxes, which at the time the final map is recorded are a lien against the property, but which are not yet payable. In lieu of a bond, a deposit may be made of money or negotiable bonds in the same amount, and of the kind approved for securing deposits of public money.

Section 8.8                      Approval by City Council . When all other required certificates, except that of the City Council have been placed on the final map it shall be filed with the City Clerk together with accompanying proposed improvement agreements, improvement security, and any other papers and materials required by this ordinance .

The City Council shall consider the map, the proposed improvement agreement, proposed improvement security, and all accompanying papers and materials. If the Council determines that they conform to the requirements of this Ordinance and the Subdivision Map Act, and that the conditions to approval of the tentative map are satisfied, it shall:

- a. Approve the final map. The Council shall also accept, subject to improvement, or reject any or all offers of dedication.
- b. Enter into an agreement for construction of improvements in the subdivision.

After approval of the final map by the City Council the City Clerk shall execute a certificate thereon stating that the Council approved the map and accepted or rejected on behalf of the public parcels of land offered for dedication for public use in conformity with the terms of the offer for dedication. The City Clerk shall

thereupon transmit the final map together with the recording fee, to be paid by the subdivider, to the Ventura County Recorder.

The subdivider shall present to the Ventura County Recorder evidence in the form of a title guarantee from a licensed title company that, upon the date of recording, as shown by public records, the parties consenting to the recordation of the map are all the parties having a record title interest in the land being subdivided whose signatures are required by the provisions of this ordinance, otherwise the map shall not be recorded.

## Section 9                      MINOR SUBDIVISION

### Section 9.1                      Filing

a. The design requirements of Section 3 shall apply to minor subdivisions, and improvement requirements established for Standard Subdivisions may be applied to Minor Subdivisions.

Section 9.2                      Filing Application. Every subdivider of a proposed minor subdivision shall submit five copies of an application to the Department of Environmental Affairs on a prescribed form together with five copies of a minor subdivision map. Said Department shall examine said application, supporting data, and map for compliance with the requirements of this Section, and shall accept said application and maps for filing when all requirements are met.

Section 9.3                      Map Form. The map shall be clearly and legibly reproduced. The scale shall be one inch to each 100 feet, unless a larger scale is required, to show all details of the land division.



## Section 9.4

Information Required

- a. The application shall be filed on a prescribed form.
- b. The map shall show the following information:
  - 1. Name and address of the person, firm or organization which prepared the map.
  - 2. Date of preparation, north point, and map scale
  - 3. Boundaries and dimensions of the land proposed to be divided.
  - 4. Location of the land in relation to the nearest crossroad or street, including, where necessary, a key map in order more easily to identify the location of the land.
  - 5. Right-of-way lines of public highways shall be shown if available; otherwise, where any private or public road adjacent to property lines is fenced, the distance between fences shall be shown.
  - 6. Width of pavement and indication of curbs, gutters and sidewalks on all adjacent roads and streets.
  - 7. Proposed lot lines and dimensions of existing and proposed lots.
  - 8. Approximate radii of all curves
  - 9. Area of the site and of each proposed lot, excluding all roads.

10. Locations of water-courses and areas subject to inundation.
11. Contour lines, if required.
12. Location and outline, to scale, of any structures on the property being subdivided, with an indication of their uses and whether they are to remain, be relocated, or removed.
13. The location and size of existing water lines, sewage facilities, and wells on the property; also the location of all proposed utility facilities and easements.
14. Private roads, existing or proposed, if any, which are intended to provide access to lots in the minor subdivision.

## Section 9.5

### Reports by Subdivision Committee Members

- a. The Department of Public Services shall report on:
  1. The effect of the proposed land division on drainage, and other public improvements.
  2. Adequacy of proposed water supply for domestic purposes.
  3. Adequacy of proposed sewage disposal system.
  4. Any other matters which may affect the public health.
  5. The necessity of soil borings and percolation tests to be made by the subdivider.
- c. The Department of Environmental Affairs shall report on:

1. Compliance with the Zoning Regulations.
2. Lot design in accordance with subdivision requirements.
3. Such other matters as may be deemed necessary to secure compliance with this Ordinance.

## Section 9.6

### Action by Subdivision Committee

a. The Subdivision Committee shall consider the application, map and supporting data, the reports and recommendations of its members, any evidence submitted by the subdivider and interested persons following which it shall approve, conditionally approve, or disapprove the minor subdivision application and map.

b. When the action of the Committee is the approval or disapproval of the map the secretary of the Committee shall endorse its action upon the map and then send one copy to the applicant and one copy to each member of the Committee. When the action of the Committee is the conditional approval of the map, and when conditions imposed are designated as precedent to Committee approval, the secretary shall so notify the applicant and shall hold the map until the conditions have been met. When met, the secretary shall so certify by endorsement upon the map and then send one copy to the applicant and one copy to each member of the committee. All conditions of approval shall be met precedent to sale of the property unless otherwise noted.

## Section 9.61

### Filing of Parcel Map

a. When the conditions of approval of the minor subdivision have been met, a parcel map shall be prepared as prescribed by Sections 11575 to 11580, inclusive, of the California Business and Professions Code. The parcel map shall be sub-

mitted for examination and filing.

Section 9.62                      Lawful Division of Property    No sale, lease, or transfer or other division of the land in the minor subdivision shall be made until the parcel map has been filed.

Section 9.7                      Appeal

a.    An appeal may be taken by the subdivider to the City Council from the decision of the Subdivision Committee. The appeal shall be taken by the filing of a notice of appeal with the City Council within 10 days following the mailing to the applicant of the notice of the decision of the Subdivision Committee. The notice of appeal shall specify the grounds thereof. Upon the filing of the notice of appeal, the Council shall set the matter for hearing and give 10 days notice thereof to the subdivider and to the Secretary of the Subdivision Committee. Upon the receipt of such notice of hearing, the Subdivision Committee shall file with the Council a copy of said map and all papers, reports and notices pertaining thereto.

b.    At the conclusion of the hearing on the appeal the City Council shall affirm, conditionally affirm or reverse the decision of the Subdivision Committee. Written notice of the decision of the City Council shall be given to the Subdivision Committee and the subdivider within 10 days from the date thereof. A decision reversing the action of the Subdivision Committee shall be accompanied by findings in support of the decision.

c.    Limitation of Approval

The approval or conditional approval of a minor subdivision shall be valid for a period of one year from the date of approval by the Subdivision Committee



or City Council. Such approval or conditional approval may be extended for a period not to exceed one year by the Subdivision Committee upon written request, provided such request is made prior to the expiration of the one year period. Filing of the parcel map with the Ventura County Recorder shall authorize the requested division. Failure to meet conditions imposed and to file the parcel map within the period prescribed in this Ordinance or any extension thereof shall terminate all proceedings.

#### Section 10

#### ENFORCEMENT

Section 10.1 No building shall be constructed nor shall a permit for the construction of a building be issued on any parcel or lot created in violation of the requirements of this Ordinance, nor shall any parcel or lot be used if created in violation of this Ordinance.

#### Section 11

#### PENALTY

Any offer to sell, contract to sell, or sale made contrary to the provisions of this Ordinance shall be a misdemeanor, and any person, firm, corporation or partnership, upon conviction thereof, shall be punishable by a fine of not more than Five Hundred Dollars or by imprisonment for a period of not more than six months, or by both such fine and imprisonment, provided that nothing herein contained shall be deemed to bar any legal, equitable, or summary remedy to which the City of Simi Valley or other political subdivision or person, firm, corporation, partnership or co-partnership may otherwise be entitled, and the City of Simi Valley or any other person, firm, corporation, or partnership may bring an action in any court possessing jurisdiction to restrain or

enjoin any attempted or proposed subdivision or sale in violation of this Ordinance .

Any transfer or conveyance, or purported transfer or conveyance, or agreement to transfer or convey any parcel of land without compliance with the terms of this Ordinance shall be voidable at the option of the transferee in accordance with the provisions of Sections 11540 and 11540.1 of the Business and Professions Code of the State of California, as the same may be amended from time to time.

Section 12

NAME

This Ordinance shall be known as the SUBDIVISION ORDINANCE  
OF THE CITY OF SIMI VALLEY .

Section 13

SEVERABILITY

If any section, sub-section, paragraph, sub-paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Ordinance, and this City Council does hereby declare that this Ordinance and each section, sub-section, paragraph, sub-paragraph, sentence, clause and phrase thereof would have been adopted irrespective of the fact that any one or more of such sections, sub-sections, paragraphs, sub-paragraphs, sentences, clauses or phrases be declared invalid or unconstitutional .



# **SIMI VALLEY FREEWAY SIGNING PROGRAM AND POLICY**





## INTRODUCTION

The purpose of this memorandum is to transmit findings and recommendations for a freeway signing program for the City of Simi Valley. Section 1 reviews the current status of significant efforts in freeway and highway signing, as well as some of the legal parameters which govern California's current signing program. Section 11, a comprehensive and detailed signing program for Simi Valley is recommended, including specific proposals for policies, programs, and implementation strategies.

## SECTION I: PROGRAMS AND ISSUES

A highway signing program which intends to provide the traveling public with specific information on services, special events, and activities occurring within an area normally encompasses a wide array of signs, displays, and advertising techniques. All of these informational approaches may reasonably be included within a comprehensive signing program; typically, elements of a signing program would fall into one of four major categories:

- A. Private, on-premise signs visible from the highway;
- B. Private, off-premise signs or "outdoor advertising signs" located adjacent to the highway right-of-way, but off the premise where the advertised activity or product is found;
- C. Official signs within the highway right-of-way; and
- D. Information panels, kiosks, and other display devices which may provide information on private services or establishments, but which are located in rest areas or scenic outlooks within the highway right-of-way.

In January of 1969, the U. S. Department of Transportation adopted new regulations related to the erection of official signs within Interstate rights-of-way to provide specific service information to the traveling public (Part 22, Chapter I of Title 23, Code of Federal Regulations). These regulations provide the basis by which a state can, at its discretion, formulate and implement signing programs for their Interstate routes under the Federal Highway Beautification Act of 1965.

Entitled, "National Standards and Criteria for Official Signs Within Interstate Rights-of-way Giving Specific Service Information for the Traveling Public," the Federal regulations deal with three sign types: a) specific information panels; b) roadside area information panels; and c) roadside information displays such as kiosks. The specific information panel is to be erected in a manner that is readable from the main traveled ways, and may consist of two types of information: the words "GAS," "FOOD" or "LODGING" and directional information; and one or more individual business signs mounted on the panel. The other two types of allowable signs are to be located in a

manner that is not readable from the main traveled way and may be erected in a safety rest area, scenic outlook, or similar roadside area. Generally, the business or service included on a specific information panel must be located within three miles of the main traveled way to be eligible for reference on the panel; however, this requirement is subject to more restrictive state standards. These businesses must also provide specified basic services within prescribed business hours, and must possess certain specific facilities, such as rest room facilities in gas stations, telephone installations, etc. Currently, only the State of Oregon has developed a signing program under the new Federal regulations, although Washington and Virginia are now in the process of establishing such programs. In California, at present, there are no State regulations parallel to the Federal ones which would allow the implementation of a comprehensive signing program along State highways. Most current activity in California in regard to highway signing programs is a result of Assembly Constitutional Resolution 55 (Z'berg). Adopted in the 1971 legislative session, ACR 55 created a task force to study and recommend to the Director of Public Works, the Highways Commission, and the Legislature various methods of providing specific service information to the traveling public in the State of California. However, ACR 55 was principally concerned with roadside information panels on displays, and did not include facilities that could be read by a traveling motorist on the State highways. The task force created by the resolution recommended the formulation of a "Statewide Motorist Information System" to provide the traveler with an informational system that was "uniform, identifiable and predictable." Specifically, the conceptual system was recommended to include:

- A. Motorist information facilities at all or major points of highway entry into the State;
- B. Information facilities at all existing and planned safety roadside rest areas on State highways;
- C. Information facilities at strategically located private commercial sites which are in proximity of and have easy access to and from the travel lanes of the State highway; and
- D. Strip maps provided on a hand-out basis at manned information facilities and on a paneled basis at unmanned facilities.

Experimental installations of the roadside rest area information facilities have been made at selected points on Interstate 5 and Interstate 80. Strip maps will provide a logo, name gas brands and will include food and lodging information as well as emergency information. The rest area information facility, called "Gydentron Travel Information Guide," is produced by Carter Industries of Santa Ana, California.

According to the State Division of Highways, while ACR 55 excluded the specific information panels which are of the most immediate interest to Simi Valley and which are allowed under Federal regulations. Existing legislation on State highways does not preclude the Director of Public Works from promulgating appropriate regulation to provide for



such types of informational signs as part of the State's official highway signing program on State highways. The key factor deterring such action appears to concern the issue of safety; this, it is contended, can be satisfied through proper design of the information panel and appropriate criteria and standards governing the types of business signs that can be placed on the panels. It must be noted that information panels must be included as an integral part of the official road signs on State highways; otherwise, they would be governed by the State Outdoor Advertising Act, which prohibits installation of any type of traveller-oriented billboard signs within or beyond 660 feet from the edge of a State highway right-of-way.

Another law that could affect the development of a comprehensive highway signing program in Simi Valley is the one relating to scenic highways. If the Simi Valley Freeway is designated a scenic highway, it would be placed under the corridor protection provisions which prohibits the erection of off-premise signs on land within 660 feet of the scenic highway right-of-way. Clearly, other applicable regulations would include the sign ordinances of Ventura County and of Simi Valley.

Interestingly, the Council established to oversee the Oregon signing program also has jurisdiction over all signs visible from the State's freeways. Therefore, the roadway information panels with logos of adjacent businesses and services become the only means that a business has of identifying itself to a freeway motorist. Not unexpectedly, therefore, there has been strong interest in the program from the business community.

The Oregon Motorist Information Program provides a prototype for statewide comprehensive signing programs. It is based on the Motorist Information Act passed by the Oregon Legislature in 1971 which removed all outdoor advertising signs (billboards) that were located outside of zoned commercial and industrial areas and within sight of Federally aided interstate and primary highways. One of the programs developed, the "logo program" was intended to enable businesses to inform the traveling public of goods and services available to them at the next interchange on an interstate highway. The law stipulated that the goods and services that are displayed on logo backboards must relate to motorist services, specifically gas stations, restaurants and hotels or motels. The logo board itself is a large sign erected on the highway right-of-way for displaying several logos or trademarks of businesses that have services available at the next interchange. The logo boards are erected in advance of the interchange where motorist services are available. In most cases the boards are erected between one-half mile and one-and-one-half miles in advance of the interchange in order to give motorists adequate time to exit from the interstate highway. The Motorist Information Program provided that separate logo backboards may be erected for gas, food and for lodging services available at the coming interchange. The Program allows up to six logos or trademarks to be placed on the board for gas services. In the case of food and lodging services, each board may identify up to four businesses. Businesses may identify themselves only by use of their logo or trademark or by displaying



their name. No advertising message may be displayed.

In regard to the signs themselves, the backboards are available in two sizes. If four or more gas stations or three or more food or lodging businesses desire to identify themselves to the public, the backboard is eight feet by twelve feet. If fewer desire display space, a smaller board is available that is five feet by twelve feet. It is the intent of the Program to keep the backboard as small as possible while still providing space for services available at a coming interchange. The background color of the boards is blue. There is a white reflectorized border around the board and at the top of each board is the legend "Gas Next Right," "Food Next Right," or "Lodging Next Right" in reflectorized letters. Signs should probably be illuminated, however, so that when a particular business is closed, its "light" can be turned off.

The backboard that is furthest away from the interchange identifies lodging facilities, the next board identifies food facilities and the board that is closest to the interchange identifies gas oriented services. The Program provides the services that are closest to the interchange and that qualify under the Council's regulations, have the first right to erect their business signs on the backboard. Qualifications vary: if a gas station, fuel, oil, lubrication, water, tire repair and similar vehicle services, drinking water, restrooms and telephone must all be available continuously at the gas station during its operating hours, and it must be in operation seven days a week for at least 16 hours per day; if a restaurant, hotel or motel, it must be properly licensed, serve three meals a day, or have adequate sleeping accommodations, seven days a week and have a telephone available during operating hours. The Program provides that a gas facility must be located within one mile of the interchange; food and lodging establishments must be located within a fifteen mile radius of the interchange.

In Oregon a business applies for a logo sign, although it is likely that the application procedure and fee requirement will be substantially different in the Washington and Virginia programs. Currently in Oregon it is only necessary for the business to fill out the application, send in the required fee, and meet the qualifications set by the Council to have a sign placed upon the backboard. A permit fee of \$75 per year is charged for each logo sign that is erected. In addition, a yearly rental fee of \$120 is charged. The cost of each logo, then, including both fee and rental, is \$195 per year payable in advance. The permit that is issued for the sign expires one year from the end of the month in which the sign is erected or renewed. At the end of each year a renewal form is sent to the business the month before the permit expires. The renewal fee is \$195 per year (\$75 permit fee and \$120 yearly rental).

A business is limited to identifying the services that it performs for the public and may display signs for each service in each direction of travel in advance of the interchange at which the business is located. The Program provides for supplemental directional signs that are located on the off ramp of the interchange. These signs contain a smaller

version of the businesses logo or trademark and also an arrow pointing in the direction of the business, so that businesses not visible from the exit ramp can be located. Finally, the Council allows display of any logo that does not offend or endanger the traveling public. There is no restriction as to the use of colors, although they increase the cost of producing the business sign to the company.

## SECTION II: RECOMMENDED SIMI VALLEY HIGHWAY SIGNING PROGRAM

The Simi Valley Highway Signing Program should be designed and developed with the intent to serve not only the interests of residents and business concerns in the City, but also traveling motorists using the Simi Valley Freeway and other freeways eventually connecting to it. To these ends, it is recommended that the signing program be designed within the framework of the following four main policies.

- Policy 1: Encourage outdoor advertising that is visible to the freeway motorist only through the provision of safe and practical official highway signs.
- Policy 2: Participate in all Statewide efforts to establish practical and meaningful highway signing programs that can adequately inform motorists on the State highway system of local cultural and historic areas, educational enterprises, and traveler-related businesses.
- Policy 3: Promote a local, regional, and Statewide approach to the provision of specific service information that satisfies the need of the local community and the traveling public.
- Policy 4: Encourage active local participation in the highway signing program by public officials, agencies, and private businesses, particularly those providing traveler-oriented goods and services.

To achieve these policies, a series of actions are necessary. Generally, a highway signing program can include all types of signs, official or otherwise, that serve the purpose of providing specific information to the traveling public. As noted, examples of the types of signs that can be included are: on-premise signs visible from the highway; off-premise signs adjacent to highway rights-of-way; service information panels erected within highway rights-of-way and readable from the highway; information panel, kiosks and other display devices located at such roadside locations as safety rest areas, scenic outlooks, etc.; and information booths located at private commercial sites near or adjacent to direct access points to add from freeways.



Based on existing regulations and anticipated attitudes of public agencies having jurisdiction over the effectuation of a signing program in California, it is felt that the Simi Valley highway signing program should consist of all of the following components:

- A. Information facilities placed at appropriate private commercial sites both within the City of Simi Valley and in communities having access to the Simi Valley Freeway;
- B. Participation in the "Statewide Motorist Information System" which will provide informational kiosks and other display facilities at rest areas, scenic outlooks, and other appropriate roadside locations along major State highways; and
- C. Specific official product identification and directional signs within the Simi Valley Freeway right-of-way.

While the City of Simi Valley must be ready to initiate and assume work responsibilities related to the three program components noted above, the overall responsibility for the development and implementation of the program must lie with the State Department of Transportation to ensure a coordinated and uniform Statewide program. The City should, however, act as liaison between local business communities and State officials to assure that the needs of the local business establishments for greater exposure to traveling public on Simi Valley Freeway and on other eventually connecting State freeways are met. The City can also play an active role in soliciting the interest and support of local business establishments in the installation and manning of information facilities in private commercial sites within the City. Close coordination with neighboring communities should be maintained to avoid unnecessary competition and overlapping of services.

Generally, any capital investment involved in a signing program, including development of roadside rest areas, information booths, etc., would be the responsibility of the State Division of Highways. Local funds, either private or public, would be required to finance the maintenance and operation of information booths located in private commercial sites within the City's jurisdiction. Funding sources might include: donations or contributions from business concerns participating in the program, membership fees, certain tax proceeds earmarked for tourist-oriented purposes, special appropriations from the City's general funds, City road funds and gas tax proceeds, and general revenue sharing funds. Subscription to advertising space on the "Gydentron," may be funded privately by the individual business concerns, or, if the group subscription approach is used, by a pooling of funds from private and public sources. Where it can be demonstrated that participation in Statewide signing programs will enhance economic development of the area, financial aid program administered by the Federal Economic Development Administration or by other Department of Commerce units may also be utilized. Following are more specific discussions on each of the three recommended program elements and their respective implementation strategy.

### Program Component 1: Information Facilities at Private Commercial Sites

The basic element of this program component centers on the installation of information centers and booths at private commercial sites along the Simi Valley Freeway and connecting state highways. The construction of the booth or center is undertaken by the Division of Highways upon request by the local government, the local chamber of commerce, or a group of local business concerns, and upon proof that the facilities will be manned by the requesting concern. Unmanned information center may also be considered. Funds for construction are available under the Highway Beautification Act.

The commercial site at which the information booth is to be placed must be strategically located, and must be in proximity of and have easy access to and from the main traveled way in the State highway system. According to the State Division of Highways, an information booth may be located in areas other than private commercial sites, as long as the proximity and access criteria are satisfied.

In Simi Valley, information centers may potentially be located at existing or proposed commercial center sites which have direct access to and from the Simi Valley Freeway. These facilities should be manned where possible. While the State Division of Highways would be responsible for the construction of the facility, staffing, design and site availability are the responsibility of the local authority and/or the local chamber of commerce. Some information facilities, unmanned and on a paneled basis, should also be provided in convenient spots near freeway interchanges, such as on the premise of a service station or motorist-oriented fast food establishment located near the interchange. The types of information that should be made available at these facilities should include, but not be limited to, the following: area maps showing the City of Simi Valley and neighboring communities, points of interest, and major activity centers (such as City Hall, and other public assembly places); strip maps of the Simi Valley Freeway and other connecting highways which provide logo and name brand gas, food and lodging information on a location specific basis; emergency information; and other motorist desired and needed information. A description of the history and growth of the City and neighboring communities may also be included. At manned information facilities, more detailed information pamphlets may be provided, describing each individual point of interest.

In order to fully utilize the potential of this information facility, it is recommended that neighboring communities, or even the subregion, be included in the program. This joint coordinated approach would enable all participants to enjoy not only economies of scale but, more importantly, greater exposure to the traveling motorists. The extent to which this joint effort can be undertaken depends on a number of factors, such as the financial resources available in the communities for this purpose, the willingness of these communities to develop tourist- or motorist-oriented commercial facilities and services, and the desire of the residents of these communities.



To implement this program component, it is recommended that the City of Simi Valley take the following steps:

- A. Initiate discussions with the local chamber of commerce and other non-member business concerns in the City to solicit their support and participation in the comprehensive highway signing program. Topics for discussion should include the location of facilities to be installed, the types of information that should become available at facilities, the format of pamphlets and maps to be dissimilated, staffing and financing of the operation, and other administrative problems. Approval by the City Council is not mandatory, but the passage of a resolution recommending that this be done would provide official consent and approval of the program.
- B. Solicit participation of neighboring communities once agreement has been reached between the City and local business concerns. Prior to serious discussions with these neighboring communities, the City and local business concerns must have resolved basic policy issues relating to the joint program approach.
- C. Submit requests to State Division of Highways, District 07, for the installation of information facilities at the selected locations. During both of the two previous steps, assistance should be sought from the District 07 office on such matters as minimum standards, design, and financial aid prospects.

The three steps outlined above are brief, and have not attempted to include the numerous administrative issues to be resolved. Some of the major issues of concern include determination of the department to be responsible for initiating the program and subsequent negotiations, the procedure for allowing business concerns to participate in the program at a later date, the mechanism used to administer the program if a joint program is decided upon, the cost implications and how they should be shared, etc. It is recommended that the City contact other cities that have already undertaken similar programs, such as the City of San Diego, for related information.

#### Program Component 2: Participation in the Statewide Motorist Information System's Roadside Information Facility Program

The Roadside Information Facility Program is a program approved in 1973 by the Highway Commission upon recommendation of the task force formed under the provisions of ACR 55. Under this Program, the California Department of Transportation was authorized to enter into lease agreement with Carter Industries for the installation of kiosks exhibiting information regarding such motorist services as motels, service stations, restaurants, etc., as well as information on general points of interest. These kiosks will be placed in roadside rests, with advance highway signs to identify them, along Interstate routes 5, 10, 15, and 80 as initial pilot projects. It is anticipated

that the program may be expanded to include other major highways.

The device called the "Gydentron," designed and manufactured by Carter Industries, is, according to the manufacturer, the most advanced of its kind in the nation. Essentially, it is a free standing structure that houses audio-visual random select electronic equipment, which, when in use, can provide the user three types of information: A) the location of the selected facility as shown on a map oriented to the location of the gydentron; B) a narrated commercial message describing the service or business available at the selected facility; and C) photographs projected on a screen, depicting four views of the place of business, available services, and other details of the selected facility. There is also a large map covering the outer wall of the unit to provide more detailed information regarding streets and highways.

Due to the comprehensive nature and coverage of this Program, a participating business would be able to enjoy considerable exposure which is not available under any other program. It is therefore recommended that Simi Valley disseminate this information to local business concerns that cater to travelers, and encourage them to consider participating in the program. If deemed appropriate, the City can itself participate in the program to "advertise" the points of interest and public services available in the City.

According to Carter Industries, participation in this program is on a "first-come-first-serve" basis for existing and soon-to-be-installed gydentrons. At present, there is no known plan for the construction of a roadside rest area or scenic outlook near Simi Valley that would have a gydentron available. However, according to the State Division of Highways, the City of Simi Valley may consider developing, or requesting that the Division of Highways develop a roadside rest area or scenic outlook within the proximity of the City. This may not be practical, however, until the Simi Valley Freeway is connected to one or more long distance freeway/highway routes.

Based on the above information, the following steps are recommended:

- A. Contact Carter Industries of Santa Ana to determine specific requirements for Gydentron installation as well as to determine the location, space availability and fee schedule of the nearest Gydentron on which the City might rent space.
- B. Form an ad hoc committee of representatives from various traveler-oriented businesses and services to discuss the possibility of leasing advertising spaces as a group. There are obvious cost-saving advantages to this approach through sharing among the participating businesses. Also, assuming the location of the prospective rest area is not directly accessible to and from Simi Valley, the approach enables the City to inform of services on historic or cultural sites over an extremely broad area. If necessary, a nonprofit corporation



may be formed to manage the operation for participating businesses and the City.

- C. Submit a request to the Division of Highways, District 07, for the development of one or more roadside rest areas and/or scenic outlooks at appropriate locations when plans for connecting the Simi Valley Freeway and other State highways in Ventura County are underway. This may be done in conjunction with other communities served by the Simi Valley Freeway and the connecting highways.
- D. When the request for development of a rest area(s) is approved, contact Carter Industries for possible inclusion of the rest area(s) in the Roadside Information Facility Program. Lease advertising space when available. The leasing of these advertising spaces should be done on an individual basis, as opposed to the joint approach suggested above, primarily because of the shorter distance between the rest area(s) and the place of business.

### Program Component 3: Official Signs Within the Simi Valley Freeway Right-of-Way

This program element calls for the erection of official highway signs within the right-of-way of the Simi Valley Freeway. There are two stages to this program component: the first to be undertaken prior to the completion of full connections with other north-south freeway/highway routes, and the second to be undertaken after completion of the connections.

At present, the official specific service information signs used by the State Division of Highways are in panel form with blue background color, and having the words (one or more, as appropriate) "GAS," "FOOD," and "LODGING" inscribed on the panel. These signs are generally placed beneath a directional sign designating the exit to the services. As mentioned earlier, there is presently no enabling regulation that provide for specific information panel installation within State highway rights-of-way. Assuming at some future date that such regulations were promulgated by the Director of Public Works, the design of allowable signs would likely be similar to the ones presently allowed under the "National Standards and Criteria for Official Highway Signs Within Interstate Rights-of-way Giving Specific Service Information for the Traveling Public." Specifically, such allowable signs are specific information panels, rectangular in shape, located in the same manner as other official traffic signs readable from the main traveled way and consisting of (i) the words "GAS," "FOOD," or "LODGING" and directional information, and (ii) one or more individual business signs mounted on the panel. Here, "business sign" means "a separately attached sign mounted on the specific information panel . . . to show the brand or trademark and name, or both, of the motorist services available on the crossroad at or near the interchange. Nationally, regionally, or locally known commercial symbols or trademarks for service stations, restaurants and motels shall be

used when applicable. The brand or trademark identification symbol used on the business sign shall be reproduced with the colors and general shape consistent with customary use . . ."

During the first stage of this program component, it is recommended that efforts be concentrated on providing existing types of official service information signs along the Simi Valley Freeway, or at selected interchanges. This would serve as interim measures until connections with other north-south freeways are completed, or until applicable regulations on new signs have been promulgated. The implementation of this first stage program component is relatively simple: a request should be submitted to the State Division of Highways identifying the types of signs desired and their respective locations. Such requests are normally satisfied without a relatively short period of time.

The second part of the program component is a more time-consuming and difficult task since there is no existing applicable regulation governing a logo signing program. One strategy that the City should consider is to align itself with other city and county governments interested in this proposition. Representative groups and special purpose organizations such as the League of California Cities and the California Roadside Council should be included in the alliance. The purpose of this move would be to create a strong lobbying force behind the request to the Director of Public Works to investigate this official signing alternative for State highways, and to promulgate regulations upon favorable findings. While legislative action is not required, past experience indicates that obtaining legislative recognition and mandate through the passage of a resolution, as demonstrated by the case of ACR 55 (1971), may well prove necessary to force action.

A second strategic element for the City to emphasize is that the signing program for the Simi Valley Freeway is an integral part of a Statewide program. This should not only help solicit support and interest from other city and county governments in the State, but will also satisfy major criteria for a good highway signing program: uniformity, predictability, and easy identification.





## PROJECT STAFF

The study which produced the Zoning Regulations, Subdivision Regulations, and Freeway Signing Program and Policy for the City of Simi Valley was conducted between October 1973 and October 1974. Sedway/Cooke staff involved in the preparation of this study included:

Paul H. Sedway, Partner-in-Charge  
Thomas Cooke

Stephen H. Silverman, Project Manager  
William So  
Jack Schnitzius  
Lynda Wagstaff  
Pam-Anela Messenger  
Pat Scarlett  
Darlene Luppino  
Debbie Harrington  
Love Smith



U.C. BERKELEY LIBRARIES



C124917645



